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TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5612]

PART 452a—TAXES UNDER THE TRADING WITH THE ENEMY ACT, AS AMENDED AUGUST 8, 1946

On December 30, 1947, notice of proposed rule making regarding the application to internal revenue of section 36, added to the Trading With the Enemy Act by the Act approved August 8, 1946, 60 Stat. 925, was published in the FEDERAL REGISTER (12 F. R. 8869). No objection to the rules proposed having been received this Treasury decision, designed to establish a procedure relative to the application of section 36 to the internal revenue, is hereby adopted.

- Sec.
452a.20 Introductory.
452a.21 Definitions.
452a.22 Application of part.
452a.23 Protection of internal revenue prior to tax determination.
452a.24 Computation of taxes.
452a.25 Payment of taxes.
452a.26 Interest and penalties.
452a.27 Claims for refund or credit.

AUTHORITY: §§ 452a.20 to 452a.27, inclusive, issued under sec. 3791 (a) of the Internal Revenue Code (53 Stat. 467; 26 U. S. C. 3791); sec. 36, added to the Trading With the Enemy Act approved Aug. 8, 1946 (Pub. Law 671, 79th Cong., 60 Stat. 925).

§ 452a.20 *Introductory.* Section 36, added to the Trading With the Enemy Act by the act approved August 8, 1946, Public Law 671, Seventy-ninth Congress, provides as follows:

Sec. 36. (a) The vesting in or transfer to the Alien Property Custodian of any property or interest (other than any property or interest acquired by the United States prior to December 18, 1941), or the receipt by him of any earnings, increment, or proceeds thereof shall not render inapplicable any Federal, State, Territorial, or local tax for any period prior or subsequent to the date of such vesting or transfer, nor render applicable the exemptions provided in title II of the Social Security Act with respect to service performed in the employ of the United States Government or of any instrumentality of the United States.

(b) The Alien Property Custodian shall, notwithstanding the filing of any claim or the institution of any suit under this Act,

pay any tax incident to any such property or interest, or the earnings, increment, or proceeds thereof, at the earliest time appearing to him to be not contrary to the interest of the United States. The former owner shall not be liable for any such tax accruing while such property, interest, earnings, increment, or proceeds are held by the Alien Property Custodian, unless they are returned pursuant to this Act without payment of such tax by the Alien Property Custodian. Every such tax shall be paid by the Alien Property Custodian to the same extent, as nearly as may be deemed practicable, as though the property or interest had not been vested in or transferred to the Alien Property Custodian, and shall be paid only out of the property or interest, or earnings, increment, or proceeds thereof, to which they are incident or out of other property or interests acquired from the same former owner, or earnings, increment, or proceeds thereof. No tax liability may be enforced from any property or interest or the earnings, increment, or proceeds thereof while held by the Alien Property Custodian except with his consent. Where any property or interest is transferred, otherwise than pursuant to section 9 (a) or 32 hereof, the Alien Property Custodian may transfer the property or interest free and clear of any tax, except to the extent of any lien for a tax existing and perfected at the date of vesting, and the proceeds of such transfer shall, for tax purposes, replace the property or interest in the hands of the Alien Property Custodian.

(c) Subject to the provisions of subsection (b) hereof, the manner of computing any Federal taxes, including without limitation by reason of this enumeration, the applicability in such computation of credits, deductions, and exemptions to which the former owner is or would be entitled, and the time and manner of any payment of such taxes and the extent of any compliance by the Custodian with provisions of Federal law and regulations applicable with respect to Federal taxes, shall be in accordance with regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury to effectuate this section. Statutes of limitations on assessment, collection, refund, or credit of Federal taxes shall be suspended, with respect to any vested property or interest, or the earnings, increment or proceeds thereof, while vested and for six months thereafter; but no interest shall be paid upon any refund with respect to any period during which the statute of limitations is so suspended.

(d) The word "tax" as used in this section shall include, without limitation by reason of this enumeration, any property, income, excess-profits, war-profits, excise, estate and employment tax, import duty, and special assessment; and also any interest, penalty, additional amount, or addition thereto not arising from any act, omission, neglect, failure, or delay on the part of the Custodian.

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(e) Any tax exemption accorded to the Alien Property Custodian by specific provision of existing law shall not be affected by this section.

Executive Order 9788, approved October 14, 1946, 11 F. R. 11981, provides as follows:

By virtue of the authority vested in me by the Constitution and statutes, including the Trading With the Enemy Act of October 6, 1917, 40 Stat. 411, as amended, and the First War Powers Act, 1941, 55 Stat. 838, as amended, and as President of the United States, it is hereby ordered, in the interest of the internal management of the Government, as follows:

1. The Office of Alien Property Custodian in the Office for Emergency Management of the Executive Office of the President, established by Executive Order No. 9095 of March 11, 1942, is hereby terminated; and all au-

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thority, rights, privileges, powers, duties, and functions vested in such Office or in the Alien Property Custodian or transferred or delegated thereto are hereby vested in or transferred or delegated to the Attorney General, as the case may be, and shall be administered by him or under his direction and control by such officers and agencies of the Department of Justice as he may designate.

2. All property or interests vested in or transferred to the Alien Property Custodian or seized by him, and all proceeds thereof, which are held or administered by him on the effective date of this order are hereby transferred to the Attorney General.

3. All personnel, property, records, and funds of the Office of Alien Property Custodian are hereby transferred to the Department of Justice.

4. This order supersedes all prior Executive orders to the extent that they are in conflict with this order.

5. This order shall become effective on October 15, 1946.

Pursuant to the above-quoted provisions and section 3791 of the Internal Revenue Code and other provisions of such Code, the following regulations are hereby prescribed.

§ 452a.21 *Definitions.* When used in this part:

(a) The term "Attorney General" includes the Alien Property Custodian whose functions were transferred to the Attorney General pursuant to Executive Order 9788, 11 F. R. 11981, and any other officers and agencies to which such functions are transferred or assigned pursuant to such Executive order, or otherwise.

(b) The term "Commissioner" means the Commissioner of Internal Revenue.

(c) The term "person" includes an individual, a trust, estate, partnership, company, or corporation, and any entity having or claiming an interest in vested property or liable or charged with liability to internal revenue tax in connection with such property.

(d) The term "former owner" means the owner immediately prior to vesting and any successor in interest by inheritance, devise, bequest, or operation of law, of such owner.

(e) The term "Trading With the Enemy Act" includes all amendments of such act, and all orders, rules, and regulations issued or prescribed under such act or any such amendment.

(f) The term "property" includes money, the proceeds of property, income, dividends, interest, annuities, and other earnings, but does not include any property or interest or any of the foregoing which vested in the Attorney General or was otherwise acquired by the United States prior to December 18, 1941.

(g) The terms "property vested by the Attorney General" and "property vested in the Attorney General" include property conveyed, transferred, assigned, delivered, or paid to or held or controlled by or vested in the Attorney General, under the Trading With the Enemy Act.

(h) The term "engaged in trade or business in the United States" includes the managing and renting of real estate in the United States by an agent of the Custodian or of the former owner duly authorized to execute rental agreements and to pay all taxes and charges incident to the repair and maintenance of such property, but does not include the mere

renting or leasing of property under agreement requiring the lessee or occupant to pay taxes and to make repairs or improvements.

(i) The term "tax" has the meaning stated in section 36 (d) of the Trading With the Enemy Act as added by the act of August 8, 1946. (See § 452a.20.)

(j) A term not defined herein shall have the meaning, if compatible with the context, imputed thereto under the Internal Revenue Code.

§ 452a.22 *Application of part—(a) Property covered.* This part is applicable in connection with property vested in the Attorney General on and after December 18, 1941. It is not applicable in connection with property or interest in property so vested or acquired by the United States prior to December 18, 1941, which property or interest is governed by Treasury Decision 4168, as amended by Treasury Decision 4514, approved January 18, 1935 (26 CFR 452.1-452.10).

(b) *Taxes covered.* Except as otherwise provided by specific exemption applicable with respect to the Alien Property Custodian, this part applies, in the circumstances therein indicated, to any internal revenue tax applicable in respect of (1) property vested in the Attorney General or any action or transaction incidental to such property, or (2) any person whose property is so vested or any action or transaction of such person, whether the tax is applicable in respect of the period of vesting or any other period. Federal employment taxes are applicable with respect to wages paid to a person not a regular Government employee, permanent or temporary, for services immediately connected with the operation of an enterprise under control of the Attorney General such as might be rendered to a private operator.

§ 452a.23 *Protection of internal revenue prior to tax determination—(a) Suits and claims for return of vested property—(1) General.* The provisions of this paragraph apply in cases where there has been no final or tentative determination of internal revenue tax liability. In such cases vested property shall not be returned except in accordance with this paragraph.

(2) *Notice to Commissioner—(i) Suits for recovery.* Where suit for the return of vested property has been instituted under section 9 of the act, within a reasonable time after answer has been filed or after beginning of the trial of the case, the Attorney General shall in writing notify the Commissioner of the property involved and the name, address, citizenship, residence, and business organization of the claimant, and any other pertinent information.

(ii) *Return without suit.* At least ninety (90) days prior to any return of vested property pursuant to section 32 of the act the Attorney General shall in writing notify the Commissioner in the manner prescribed in subdivision (i) of this subparagraph.

(3) *Return of property—(i) Without security.* Vested property, the subject of a suit or proceeding pursuant to the Trading With the Enemy Act, may be returned without security prior to determination of applicable internal reve-

nue taxes and prior to the judgment of the court or publication of the order of the Attorney General directing such return, to the following described claimants under the conditions hereinafter stated:

(a) *Residents and domestic enterprises.* In the case of claimants who at the time of return are (1) individuals permanently resident in the United States since December 7, 1941, or (2) corporations or other business enterprises organized under the laws of the United States, or any State, Territory, or possession thereof, or the District of Columbia, or doing business in the United States, the Attorney General may return the property at any time without notice to the Commissioner of such return.

(b) *Nonresidents, etc.* In the case of claimants who at the time of return are (1) individuals not permanently resident in the United States since December 7, 1941, or (2) nondomestic corporations or other nondomestic business enterprises not doing business within the United States, the property may be returned not less than ninety (90) days after notice by the Attorney General to the Commissioner in a case within subparagraph (2) (i) of this paragraph, or not less than sixty (60) days after notice in a case within subparagraph (2) (ii) of this paragraph, unless within such time the Attorney General is advised otherwise by the Commissioner.

(ii) *When security required.* Except as provided in (i) vested property shall not be released prior to determination of tax liability without security satisfactory to the Commissioner, but determination of tax liability will be expedited in order that release of the property or of the security shall not be unnecessarily delayed.

(4) *Security.* Security when required shall be such of the following as shall, in the judgment of the Commissioner, be appropriate:

(i) *Bond.* A bond of the claimant conditioned upon payment of the full amount of internal revenue taxes determined to be due, filed with the collector in such amount, and with such sureties, as the Commissioner deems necessary. The sureties may be only surety companies certified by the Secretary of the Treasury as acceptable.

(ii) *Collateral security.* Collateral authorized by law deposited by the claimant in lieu of surety conditioned upon the payment of the full amount of internal revenue tax determined to be due.

(iii) *Reservation of assets.* Monies, or if the monies are insufficient, so much of the other property involved, to be reserved by the Attorney General, as will be sufficient in the judgment of the Attorney General to cover any internal revenue tax liability determined by the Commissioner.

(b) *Vested property subject to debt claims—(1) Notice to Commissioner.* With respect to vested property available for the payment of debt claims under section 34 of the act, and with respect to which debt claims have been filed, prior to the allowance of any such claims the Attorney General shall in writing notify the Commissioner of the property in-

volved, the citizenship, residence, business organization and other necessary information concerning the debtor and the aggregate of debt claims filed in respect thereof.

(2) *Action by Commissioner.* Upon receipt of the notice provided in subparagraph (1) of this paragraph the Commissioner shall, as soon as practicable and not later than 120 days after receipt of notice, unless the time is extended by the Commissioner after notice to the Attorney General: (i) Determine the taxes payable by the Attorney General in respect of the debtor, or (ii) advise the Attorney General of the provision, if any, to be made by him for payment of taxes in respect of the debtor.

§ 452a.24 Computation of taxes—

(a) *Detail of employees of the Bureau of Internal Revenue.* The Commissioner will detail for the assistance of the Attorney General such employees of the Bureau of Internal Revenue as may be necessary to make the computations under this part promptly and accurately.

(b) *Relationship of Attorney General and former owner.* In the computation of tax liability under this part, except as otherwise provided herein, the vesting of property shall be considered as not affecting the ownership thereof; and any act of the Attorney General in respect of such property (including the collection or operation thereof and any investment, sale, or other disposition and any payment or other expenditure) shall be considered as the act of the owner. Nevertheless, except as otherwise provided in the act or this part, insofar as taxes are incident to vested property during the period of vesting, they shall be payable by the Attorney General, except that to the extent of the value of any of the property returned to the former owner the latter shall be liable for such tax not paid by the Attorney General. While tax incident to nonvested property is collectible out of both vested and nonvested property, the nonvested property will be regarded as the primary source of collection of such tax. In determining the amount of the liability to be paid out of property not vested by the Attorney General a computation shall be made covering the taxpayer's full period of liability, but without regard to the vested property, or the income received by, or the operations of, the Attorney General. The amount so computed shall be first asserted against and collected so far as practicable from the taxpayer or out of his property which is not vested. Such part of the total tax liability as is not paid by the taxpayer or collected out of property not vested shall be asserted against the vested property. (See §§ 452a.25 and 452a.27 (b).)

(c) *Laws applicable to computation.* Except as otherwise specifically provided in this part, the computation under this part of any internal revenue tax liability shall be in accordance with the internal revenue law and regulations applicable thereto, including all amendments of such law or regulations enacted or promulgated prior to determination of the tax.

(d) *Periods for which computations made.* The amount of income, declared value excess profits, excess profits, capi-

tal stock, employment, and excise taxes under the internal revenue laws will be computed for each taxable year or period during all or part of which property is vested prior to the return of the property. (As to return of property prior to computation of tax see § 452a.23.) Where vesting occurs during a taxable year or taxable period, any return filed or computation made covering vested or nonvested property should nevertheless be for the entire year or period. (See paragraph (b) of this section.) Unless facts are available indicating a liability for taxes for a taxable year or period occurring wholly prior or subsequent to the period of vesting of the property by the Attorney General, the computations under this part, both tentative and final, will be made only in respect of years and periods during all or part of which the property is held by the Attorney General.

(e) *Tentative computation.* In order that the return of property or other appropriate action may not be delayed until the amount of taxes payable is finally computed and paid, a tentative computation of such amount will be made in every case, unless there are circumstances appearing to make such action inappropriate. Such circumstances would include (1) return of the property in accordance with § 452a.23, (2) notice to the Commissioner of Internal Revenue by the person to whom the property is returnable or by the Attorney General that such person or the Attorney General, as the case may be, prefers that the return of the property be postponed until the amount of such taxes can be finally computed, or (3) belief on the part of the Commissioner that a final computation will not unduly delay the return of the property or other appropriate action. In making any such tentative computation of income, profits, or estate tax, the gross income or the gross estate, as the case may be, as shown by the records of the Attorney General (excluding therefrom items exempt from taxation) shall be considered as the net income or net estate, respectively, unless a tax return has been filed or facts are available upon which a more accurate computation can be made. In any case in which a duly authorized officer or employee of the Bureau of Internal Revenue has otherwise computed the amount of taxes payable in respect of any period, such computation will be accepted as a tentative computation, unless the facts clearly indicate that a more accurate computation can be made.

(f) *Final computation—(1) General.* A final computation of the amount of taxes payable by the person to whom property is returnable, or out of property to be returned, will be made as soon as practicable in every case. In any case in which the amount shown by a tentative computation has been paid, refund or credit of any amount paid in excess of the amount properly due will be made in accordance with the final computation, even though a claim therefor has not been filed, if the period of limitation applicable to the filing of such claim has not expired. However, if it is desired to protect the right to any credit or refund determined to be due, a claim for credit or refund should be filed. (See § 452a.27.)

The sufficiency of any such claim in respect of an amount paid in accordance with a tentative computation under this part will not be questioned solely because facts upon which a more accurate computation could be made are not available or cannot be established at the time such claim is filed. Any such claim in respect of an amount paid in accordance with a final computation must, however, clearly set forth in detail under oath all the facts relied upon in support of the claim and must conform to the regulations applicable to an ordinary claim for refund or credit. See, for example, § 29.322-2, Regulations 111 (26 CFR 29.322-2) (And see § 452a.27.)

(2) *Information required—(i) Income and profits taxes.* The following information submitted under oath by or for the taxpayer is necessary in each case for a final computation, for each taxable year for which the computation is to be made:

(a) All income (other than income received by the Attorney General) from sources within the United States, or if no such income has been received, then a statement to that effect, except that in the case of a citizen or resident of the United States, income from sources without as well as within the United States must be shown.

(b) If a return of such income has been made, then the following data in respect of such return:

(1) The taxable year for which the return was made and the tax (whether income, declared value excess profits, or excess profits tax) paid;

(2) The name of the taxpayer for whom the return was made;

(3) The name of the agent or other person (if any) by whom such return was made;

(4) The office of the collector in which such return was filed.

(c) Such other facts as may be required, from time to time, by the Commissioner of Internal Revenue.

(ii) *Other taxes.* Except as otherwise provided in subdivision (i) of this subparagraph, in order to make a final computation of the amount of any internal revenue tax payable by return in any case, the usual return should be filed, together with the supporting documents required by the regulations pertaining to the tax.

(g) *Tax returns—(1) General.* In many cases allowance of deductions and credits is contingent upon the making of a return in accordance with the applicable internal revenue law. The submission of evidence relative to income or profits tax in accordance with paragraph (f) (2) (i) (a) and (c) of this section will be considered as the making of the return required by any such law, only (i) for any taxable period, ending on or before December 31, 1946, during all or part of which all or part of the property of the taxpayer was held by the Attorney General, or (ii) for any taxable period ending within one year from the date of the first return to the taxpayer, of any part of the property held by the Attorney General, whichever period ends later. In all other cases a return will be required in accordance with the applicable internal revenue law and regulations. (As to returns where property is vested

during a taxable year or period see § 452a.24 (d).)

(2) *Estates and trusts.* In the case of estates and trusts the fiduciaries shall file returns, including information returns as required by section 147 of the Internal Revenue Code.

(3) *Income tax forms to be used.* In the case of taxpayers engaged in trade or business in the United States Forms 1040B and 1120, as may be appropriate, shall be used. Where the taxpayer is not engaged in trade or business in the United States Form 797M may be used in lieu of Forms 1040NB and 1120NB.

§ 452a.25 *Payment of taxes.*—(a) *Pursuant to tentative computations.* The amount of taxes shown by a tentative computation shall be paid by the Attorney General or the taxpayer, as the case may be, to the collector of internal revenue as soon as practicable after the tentative computation has been made. It will not be necessary, however, for the payment by the Attorney General to be made prior to the return of property if an amount sufficient to cover all internal revenue taxes is retained therefrom by the Attorney General.

(b) *Pursuant to final computations.* Upon a final computation of internal revenue taxes properly payable, the amount thereof remaining unpaid shall be paid by the Attorney General to the collector of internal revenue as soon as practicable after the final computation has been made, or, in case the property has been returned to the former owner, by such owner. If the final computation shows that the full amount of internal revenue taxes properly payable is less than the amount previously paid, the difference shall be credited or refunded in accordance with the provisions of these and other applicable regulations. A final computation will not prohibit a subsequent recomputation if it is determined that the amount shown by the final computation is erroneous.

(c) *Deficiency procedure.* The Attorney General shall pay internal revenue taxes without regard to the provisions of law relating to the sending of a deficiency notice by registered mail, or to notice and demand.

§ 452a.26 *Interest and penalties.*—(a) *Liability for interest and civil penalties.* Under subsection (d) of section 36 of the Trading With the Enemy Act there is no liability for interest or penalty on account of any act or failure of the Attorney General. Such subsection is not applicable to interest or penalties payable in respect of any act or failure during the period prior to the vesting of the property by the Attorney General, or after the return of the property, or during the period during which the property was vested by the Attorney General on account of an act or omission of any person other than the Attorney General.

(b) *Adjustment.* In case of any assessment or collection, or credit or refund of interest or a civil penalty contrary to the provisions of section 36 (c) or (d) proper adjustment shall be made.

§ 452a.27 *Claims for refund or credit.* (a) Claims for refund or credit must be filed within the period prescribed by sec-

tion 322 of the Internal Revenue Code as modified by section 36 (c) of the Trading With the Enemy Act. Any such claim must contain a detailed statement under oath of all the facts relied upon in support of the claim and should be filed with the collector of internal revenue of the district in which the tax was paid. (See § 452a.24 (f) (1).)

(b) Any act of the Attorney General for, or on behalf of, a taxpayer in respect of any claim under this part will be considered as the act of such taxpayer, unless such taxpayer notifies the Commissioner of Internal Revenue in writing, by the filing of a claim for refund or credit or otherwise, that he does not ratify such act. (See also § 452a.24 (b).)

(c) All refund of taxes paid by the Attorney General shall be made directly to that official.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: April 9, 1948.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.
[F. R. Doc. 48-3345; Filed, Apr. 15, 1948;
8:57 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 200—ORGANIZATION AND PROCEDURE REDELEGATIONS OF AUTHORITY; CONTRACTS

Part 200, Organization and Procedure, Subpart A, Organization, is supplemented by adding the following material under a new center note designated as "Redelegations of Authority":

REDELEGATION OF AUTHORITY

§ 200.65 *Contracts.* (a) The Purchasing Agent of the Geological Survey is hereby authorized to enter into contracts not exceeding \$5,000 in amount, in conformity with applicable regulations and statutory requirements and subject to the availability of appropriations, for construction, supplies, or services other than personal. (20 Stat. 394, 43 U. S. C. 31, 43 C. F. R. 4.100, 12 F. R. 4115).

THOMAS B. NOLAN,
Acting Director.

[F. R. Doc. 48-3367; Filed Apr. 15, 1948;
8:53 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

SWEDEN; REVOCATION OF GENERAL LICENSE

APRIL 16, 1948.

Revocation of General License No. 49 under Executive Order No. 8389, as amended, Executive Order No. 9193, as

amended, section 5 (b) of the Trading With the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Section 131.49 (General License No. 49) is hereby revoked.

(Sec. 5 (b) 40 Stat. 415, 966, sec. 2, 43 Stat. 1, 54 Stat. 179, sec. 301, 55 Stat. 839; 12 U. S. C. 95a, 50 U. S. C. App. Sup., 5 (b) E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Regs., April 10, 1940, as amended June 14, 1941, Feb. 19, 1946, June 28, 1946 and Jan. 1, 1947; 31 CFR, Cum. Supp., 130.1-7, 11 F. R. 1769, 7184, 12 F. R. 6)

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 48-3344; Filed, Apr. 15, 1948;
8:02 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amtd. 401]

APPENDIX A—POSITIVE LIST OF COMMODITIES

Appendix A, Positive list of commodities, is amended by deleting therefrom the following commodities:

Dept. of
Comm.
Sched.
B No.

Commodity
Medicinal and pharmaceutical preparations:

812750 Cinchona salts, except totaquine, cinchonine salts and compounds, cinchonidine salts and compounds.

812750 Quinine hydrochloride, dosage form only.

812750 Other quinine salts and compounds except quinine hydrochloride, bulk form; quinidine alkaloid; and quinidine salts and compounds (report quinine sulfate in 812730).

815700 Malaria chill and fever remedies containing quinine.

Industrial chemicals:

835800 Potassium hydroxide or caustic potash.

835900 Potassium carbonate and mixtures.

835900 Potassium chlorate and mixtures.

842900 Pigments, paints, and varnishes: Cadmium lithopone.

This amendment shall become effective April 15, 1948.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: April 13, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-3324; Filed, Apr. 15, 1948;
8:53 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 6—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

MATTER LIABLE TO INJURE MAILS OR DAMAGE PERSONS; MAGICIANS' FLASH SHEETS UNMAILABLE

In § 6.13 *Poisons, explosives, liquids, medicines, motion picture films*, make the following change:

Add a new subparagraph (11) to paragraph § 6.13 (b) to read as follows:

(11) Magicians' flash sheets, being explosive in nature, are unmailable, and shall not be accepted when proffered for mailing.

(R. S. 3878, sec. 217, 35 Stat. 1131, 41 Stat. 620, 45 Stat. 1072; 18 U. S. C. 340)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-3337; Filed, Apr. 15, 1948; 8:56 a. m.]

PART 17—MONEY-ORDER SYSTEM

INTERNATIONAL MONEY ORDER SERVICE, RESUMPTION TO POLAND

In § 17.55 *Exchange offices* (13 F. R. 1169) make the following change:

Amend paragraph (c) (1) (i) as follows:

The reference to footnote 1 following Poland in the list of countries is deleted.

(R. S. 161, 396, 398, 4027, 4028, sec. 1, 25 Stat. 654, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372, 39 U. S. C. 711, 712)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-3336; Filed, Apr. 15, 1948; 8:56 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE AND INSTRUCTIONS FOR MAILING

EIRE; RESTRICTIONS ON IMPORTATION OF MEAT

In § 127.245 *Eire (Ireland)* (13 F. R. 970) make the following change:

Amend paragraph (b) (5) (i) by addition of a new subdivision (e) reading as follows:

(e) Pork, including bacon and ham, and beef and mutton in any form, unless the addressee possesses an import permit issued by the Minister for Agriculture at Dublin.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-3334; Filed, Apr. 15, 1948; 8:55 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

JAPAN; REGULAR MAILS AND PARCEL POST

In § 127.284 *Japan* (13 F. R. 997) make the following changes:

1. Amend paragraph (a) to read as follows:

(a) *Regular mails.* See Table No. 1, § 127.200; for classifications, rates, weights, limits and dimensions. Small packets accepted.

(1) *Indemnity.* See § 127.105. No indemnity is payable in the event the loss occurs in Japan.

Mail may not be accepted for:

(a) Utsuryo (Ullung) Island; Take Island (Liancourt Rocks); Quelpart (Saishu or Cheju) Island.

(b) The Nanto Islands south of Sofu Can (Lot's Wife); the Bonin (Ogasawara) and Volcano (Kazan or Iwo) Islands; and all other outlying Pacific Islands including the Daito (Ohigashi or Oagari) Group, Farece Vela (Okino Tori), Marcus (Minami Tori), and Ganges (Nakano Tori) Islands.

(c) The Kurile (Chishima) Islands; the Habomal (Hapomaze) Group, including Suissho, Yuri, Aktyuri, Shibotsu and Taraku Islands; and Shikotan Island.

(iii) Letter and post card communications are restricted to messages written in English, Chinese, Japanese, French, Portuguese, Korean, Russian or Spanish. Mail articles should be addressed in English, but it will be permissible for the address to be shown also in any of the other languages mentioned, provided those addressed in Chinese, Japanese, Korean, or Russian bear an interline translation in English of the names of the post office, island, and country of destination.

(iv) The following are the only items of printed matter permitted entry:

Catalogs; photographs; drawings; plans; maps; patterns; Bibles and all other sacred writings of all religious faiths and sects; tracts, pamphlets, books, journals and other publications of which at least 50 percent of the content is devoted to matters generally recognized as religious.

(5) *Prohibitions.* (i) Dutiable articles (merchandise) in letters and packages prepaid at the letter rate.

(ii) Transactional correspondence of the following types:

(a) All messages which transfer currency, checks, drafts, payment orders, or other credit or financial instruments;

(b) Messages which relate to conversion, transfer or disguising of any Japanese external assets by powers of attorney, proxies, instructions, or other means;

(c) Messages which grant or transfer translation, reproduction, performance or other rights concerning books, articles, plays, music, motion pictures, or other media of information and expression;

(d) Messages relating in any way to patents or copyrights, except for description and explanation of the authorized channels and procedures for handling such matters and except for acknowledgment of rights arranged through the authorized channels.

(2) *Special delivery.* No service.

(3) *Air mail service.* Postage rate 25 cents one half ounce. Merchandise accepted by air as "small packets." (See § 127.20.)

(4) *Observations.* (i) See *Parcel post, observations*, paragraph (b) (3) of this section concerning addressing.

(ii) Civilian mail service extends only to the islands listed in the first column below; such service has not been authorized to the places listed in the second column;

Mail may be accepted for:

The four main Japanese islands of Hokkaido, Honshu, Kyushu, and Shikoku.

The adjacent islands, about 1,000 in number, including the Tsushima Islands; the Ryukyu (Nansel) Islands north of 30° north latitude (excluding Kuchinoshima); the Izu Islands; and the Nanto Islands north of and including Sofu Can (Lot's Wife).

(iii) Commercial papers of the following types:

(a) Scores or sheets of music in manuscript;

(b) Manuscripts of works or of news-papers sent singly;

(c) All papers of legal procedure;

(d) Documents of all kinds drawn up by ministerial officers.

2. Amend paragraph (b) (3) to read as follows:

(3) *Observations.* (i) See paragraph (a) (4) (ii) this section for places to which parcels may be sent and for permissible addresses.

(ii) Gift parcels: The parcels and relative customs declarations must be conspicuously marked "Gift Parcel" by the senders who must itemize the contents and value on the customs declaration.

Only one parcel per week may be sent by or on behalf of the same sender to or for the same addressee.

Gift parcels may contain only relief items such as nonperishable foods, mailable medicines in noncommercial quantities, soap, clothing, and other relief items in quantities which reasonably can be used by the addressee and his family. No gift parcel may contain more than 1,000 saccharine tablets or more than 1 item of tobacco, within the following limits:

(a) 200 cigarettes.

(b) 50 cigars.

(c) One-half pound of pipe tobacco.

Articles such as fountain pens, watches, cameras and other nonrelief items will not be permitted entry in gift parcels, and if they are included will be removed and only the admissible items delivered to the addressees.

Gift parcels which are undeliverable will not be returned to senders but will be turned over to authorized Japanese relief agencies.

(iii) Other parcels: Parcels containing ordinary items of merchandise in

commercial quantities are admitted on condition that each such parcel contains a certified or photostatic copy of a license validated by the Supreme Commander for the Allied Powers, in Japan, permitting such importation. The words "Import License Enclosed" must be endorsed by the senders on the wrappers of all such commercial parcels. There is no limitation on the number of commercial parcels which may be accepted for mailing from the same sender to the same addressee.

Parcels containing trade samples are admitted, without the necessity for an import license, on condition that the customs declarations of such parcels bear, in addition to the description of the article, the words "Trade Samples Only." Senders may so indicate, in the usual manner, if they desire to have parcels which prove to be undeliverable returned to them.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-3333; Filed, Apr. 15, 1948; 8:55 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

**MEXICO; PROHIBITION OF IMPORTATION OF
CERTAIN ITEMS OF MERCHANDISE**

In § 127.302 *Mexico* (13 F. R. 4008), make the following change:

Amend paragraph (b) (9) (i) by deleting the item reading as follows: "Advertisements, calendar and price lists on loose sheets (prohibited after January 1, 1948)" and substituting therefor the following: "Advertisements, calendars and price lists on loose sheets. However, in view of the indefinite Mexican tariff classifications, these articles may be accepted at the sender's risk."

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-3339; Filed, Apr. 15, 1948; 8:56 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

**RESUMPTION OF MONEY ORDER SERVICE TO
POLAND**

In § 127.328 *Poland*, (13 F. R. 1025) make the following change:

Amend paragraph (a) (4) to read as follows:

(4) *Money-order service.* See § 17.55 (c) (1) of this chapter.

(R. S. 161, 396, 398, 4027, 4028, sec. 1, 25 Stat. 654, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372, 39 U. S. C. 711, 712)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-3335; Filed, Apr. 15, 1948; 8:55 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

SOUTHERN RHODESIA; IMPORT RESTRICTIONS

In § 127.336 *Rhodesia, Southern* (13 F. R. 1031) make the following changes:

1. Amend paragraph (a) (6) to read as follows:

(6) *Prohibitions.* Parasites and predators of injurious insects intended for the control of those insects are admitted as samples only if mailed by an institution officially recognized in the country of origin to the Department of Agriculture at Salisbury. Also all articles prohibited in the form of parcel post. Note carefully paragraph (b) (4) (iii) of this section.

2. Amend paragraph (b) (4) by the addition of a new subparagraph (iii) reading as follows:

(iii) Importation of many types of merchandise (as gifts or otherwise) is entirely prohibited or admitted only if a permit has been granted the prospective importer by the Rhodesian Department of Commerce and Industries. Therefore, postmasters are directed not to accept merchandise for mailing to Southern Rhodesia, either in the regular mails or by parcel post, unless the sender has received assurance that the ad-

dresser will be permitted to receive the contents. Before any package is accepted for mailing the sender should be required to endorse the wrapper "Importation Into Southern Rhodesia Authorized" or similarly. Goods whose importation has not been authorized are liable to confiscation.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-3338; Filed, Apr. 15, 1948; 8:58 a. m.]

**TITLE 49—TRANSPORTATION
AND RAILROADS**

**Chapter II—Office of Defense
Transportation**

[Suspension Order ODT 63-1]

**PART 500—CONSERVATION OF RAIL
EQUIPMENT**

**RESTRICTIONS ON PASSENGER AND SPECIAL
TRAIN SERVICE**

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, as amended, and Executive Order 9919, *It is hereby ordered, That:*

All provisions of §§ 500.115 through 500.119 of General Order ODT 69, as amended (13 F. R. 1481, 1999) shall be, and they hereby are, suspended until further order of this office. ~

This Suspension Order ODT 69-1 shall become effective at 4:00 o'clock p. m. April 13, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8929, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641, E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Issued at Washington, D. C., this 13th day of April 1948.

J. M. JOHNSON,
Director

Office of Defense Transportation.

[F. R. Doc. 48-3342; Filed, Apr. 15, 1948; 8:57 a. m.]

PROPOSED RULE MAKING

FEDERAL POWER COMMISSION

[18 CFR, Parts 153, 154, 155, 2501]

[Docket No. R-107]

**FORM, COMPOSITION, FILING AND POSTING
OF RATE SCHEDULES AND TARIFFS FOR
TRANSPORTATION OR SALE OF NATURAL
GAS**

NOTICE OF PROPOSED RULE MAKING

APRIL 6, 1948.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend Subchapter E, Regulations Under the Natural Gas Act, and Subchapter G, Approved Forms, Natural Gas Act, of Chapter I, Federal Power Commission, Title 18, Conservation of Power, of the Code of Federal Regulations, to prescribe the accompanying revised rules governing the form, composition, filing and posting of rate schedules and tariffs, for the transportation or sale of natural gas subject to the jurisdiction of the Commission.

3. (a) The proposed changes to said Subchapter E include:

(1) Revision of § 153.8 entitled "Filing of Rate Schedules, Notices, Etc." of Part 153, Application for Authorization to Export or Import Natural Gas, the revised section to be entitled "Filing of contracts, rate schedules, etc."

(2) Revision of Part 154, Filing of Rate Schedules, the revised part to be entitled "Rate Schedules and Tariffs."

(3) Revision of § 154.30 entitled "Natural Gas Companies to Furnish the Commission with Copies of Industrial Rate Contracts," the revised section to constitute § 155.1 entitled "Contracts and

rate schedules for direct industrial sales" of a new Part 155, with the same title.

(b) The proposed changes to said Subchapter G include revision of §§ 250.2, 250.3, and 250.4 of Part 250, Forms, the revised sections being entitled, respectively, "Form of Proposed Cancellation of Tariff or Part Thereof (See § 154.64)" "Form of Proposed Cancellation or Termination of Contract or Part Thereof (See § 154.64)" and "Form of Certificate of Adoption (See § 154.65)"

4. (a) For a considerable time the Commission has had under consideration a general revision of its regulations and approved forms under the Natural Gas Act, setting forth the rules for the filing of interstate natural gas rate schedules subject to the Commission's jurisdiction. The basic purpose of the contemplated modification and principal change proposed to be effected are to require rate schedules to be filed in the form of tariffs, instead of the special, individually executed contracts permitted by the present rules.

(b) In August 1940 the Commission sent a draft of Tentative Instructions for Preparing and Filing FPC Gas Schedules to all natural gas companies for comment, criticism and suggestion. The adoption of any such instructions was deferred during the War period. A major segment of the natural gas industry, notwithstanding the absence of rules so requiring, has voluntarily filed rate schedules in the form of tariffs in lieu of individual contracts. This experience indicates the feasibility and desirability of such a change and that benefits and advantages may be expected to result to the public and natural gas companies.

(c) A number of other major changes are proposed to be effected by the amendments. Among some of the additional changes, there may be noted the following:

(1) "Posting" is defined to include serving rate schedules upon the affected purchasers. Many natural-gas companies do this as a matter of course.

(2) "Effective tariff" is substituted for "effective rates and charges" of the present rules. Where the present rules now state that only the filed rates and charges shall be demanded or received, the proposed rule expands the provision to state that the filed rates, charges, and classifications, practices, services, rules and regulations are to prevail.

(3) Notice requirements are to be a uniform 30 days as compared to the present requirement of 30 days for changes and 10 days for initial rate schedules or contracts.

(4) Informal submission, a practice which has always been available, is proposed to be written into the rules.

(5) Information to be submitted with new schedules has been modified to include the basis of any new rate and relationship to costs.

(6) Certificates of concurrence as an alternative to the filing of rate schedules themselves is eliminated since experience over the past 10 years with such concurrences has indicated that the practice is utilized by very few companies and the result has been confusing.

(7) Export and import contracts are required to be filed as rate schedules by

§ 153.8 of the present rules. The proposed revised § 153.8 would exempt such export and import contracts from the requirement for filing in the form of Tariffs.

(8) Government contracts for direct sales by natural gas companies to the Government are now required to be filed by § 154.20. This requirement is proposed to be eliminated except to the extent such contracts may be required to be filed under proposed Part 155.

(9) Direct industrial contracts must now be filed where sales are 100,000 Mcf per year or more. The proposed rule reduces this amount to 100 Mcf per day and sets up this requirement for filing in the proposed new Part 155.

5. The accompanying amendments to the Commission's rules herein described and set forth are proposed to be issued under the authority granted the Federal Power Commission by the Natural Gas Act, as amended, particularly sections 4 and 16 thereof (52 Stat. 822, 830; 15 U. S. C. 717c, 717o)

6. Any interested persons may submit to the Federal Power Commission, Washington 25, D. C., not later than May 14, 1948, data, views and comments in writing concerning proposed amendments. The Commission will consider these written submittals before acting upon the proposed amendments.

[SEAL]

LEON M. FUQUAY,
Secretary.

Subchapter E—Regulations Under the Natural Gas Act

PART 153—APPLICATION FOR AUTHORIZATION TO EXPORT OR IMPORT NATURAL GAS

§ 153.8 *Filing of contracts, rate schedules, etc.* Persons authorized to export natural gas from the United States to a foreign country or to import natural gas from a foreign country shall file two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for such export or import, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, services, rules and regulations relative to such export or import in the manner specified in Part 154 of this Chapter, except that the requirements of § 154.31 through § 154.41 shall not be applicable.

PART 154—RATE SCHEDULES AND TARIFFS

APPLICATION

Sec.
154.1 Application; obligation to file,

DEFINITIONS

154.11 Rate schedule.
154.12 Contract.
154.13 Service agreements.
154.14 FPC gas tariff.
154.15 Filing date.
154.16 Posting.

IN GENERAL

154.21 Effective tariff.
154.22 Notice requirements.
154.23 Acceptance for filing not approval.
154.24 Rejection of material submitted for filing.
154.25 Informal submission for staff suggestions.
154.26 Number of copies.
154.27 Comments by interested parties.

FORM AND COMPOSITION OF TARIFF

Sec.
154.31 Application.
154.32 Form, type, and size.
154.33 Binder, title page and arrangements.
154.34 Composition of tariff.
154.35 Table of contents.
154.36 Preliminary statement.
154.37 Map.
154.38 Composition of rate schedule.
154.39 General terms and conditions.
154.40 Composition of service agreement.
154.41 Index of purchasers.

SPECIAL PERMISSIONS

154.51 Waiver of notice requirements.
154.52 Exception to form and composition of tariff.

METHOD OF SUBMISSION FOR FILING

154.61 Application.
154.62 Material submitted with initial tariffs, executed service agreement or parts thereof.
154.63 Material submitted with changes in a tariff, executed service agreement or part thereof.
154.64 Cancellation or termination.
154.65 Adoption of tariff by successor.

RESTATEMENT OF SCHEDULE FILED PRIOR TO -----¹

154.81 Application.
154.82 Requirement for restatement.
154.83 Filing date of restatement.
154.84 Plan of restatement.
154.85 Availability of Commission staff for advice prior to formal filing.

APPLICATION

§ 154.1 *Application; obligation to file.* On and after -----¹ every natural-gas company shall file with the Commission and post in conformity with the requirements of this part, schedules showing all rates, charges and services for any transportation or sale of natural gas subject to the jurisdiction of the Commission and the classifications, practices, rules and regulations affecting such rates, charges and services, together with all contracts relating thereto; *Provided, however,* All such presently effective schedules filed with the Commission before the aforesaid date shall be revised, as set forth in § 154.82 to conform with the following rules and regulations, and filed and posted on or before the dates specified in § 154.83.

DEFINITION OF TERMS USED IN THIS PART

§ 154.11 *Rate schedule.* The term "rate schedule" means a statement of a single rate or charge applicable to service of a particular character for or in connection with any transportation or sale of natural gas subject to the jurisdiction of the Commission, and all terms, conditions, classifications, practices, services, rules and regulations affecting such rate or charge. This term also includes any contract, for the exchange or pooling of natural gas or for coordination of facilities for which special permission has been obtained in accordance with § 154.52.

§ 154.12 *Contract.* The term "contract" means any agreement which in any manner affects or relates to rates, charges, classifications, practices, rules, regulations or services for or in connection with transportation or sale of natural gas subject to the jurisdiction of the

¹ Effective date of rules.

Commission. This term includes an executed service agreement.

§ 154.13 *Service agreement.* The term "service agreement" means a form of agreement for service under a natural-gas company's tariff.

§ 154.14 *Tariff or FPC Gas Tariff.* The term "tariff" or "FPC gas tariff" means a compilation, in book form, of all of the rate schedules, forms of service agreements of a particular natural-gas company, and contracts other than executed service agreements.

§ 154.15 *Filing date.* The term "filing date" means the day on which a tariff or any part thereof or a contract is received in the office of the Secretary of the Commission for filing in compliance with the requirements of this part.

§ 154.16 *Posting.* The term "posting" means (a) making a copy of a natural-gas company's tariff and contracts available for public inspection in a convenient form and place at the natural-gas company's principal and district or division offices during regular business hours, and (b) mailing to each customer affected a copy of such tariff or part thereof at the time it is sent to the Commission for filing.

IN GENERAL

§ 154.21 *Effective tariff.* No natural-gas company shall directly or indirectly, for or in connection with the transportation or sale of natural gas subject to the jurisdiction of the Commission, impose any classifications, practices, services, rules and regulations, or demand, collect or receive any rates or charges different from those prescribed in its effective tariff and executed service agreements on file with the Commission, unless otherwise specifically provided by order of the Commission.

§ 154.22 *Notice requirements.* All tariffs, or any part thereof, and executed service agreements shall be filed with the Commission and posted not less than thirty days nor more than sixty days prior to the proposed effective date thereof, unless a shorter period of time is provided by order of the Commission in accordance with § 154.51.

§ 154.23 *Acceptance for filing not approval.* The acceptance for filing of any tariff, executed service agreement or part thereof is not to be considered as approval by the Commission.

§ 154.24 *Rejection of material submitted for filing.* The Commission reserves the right to reject any material submitted for filing which fails to comply with the requirements set forth in this part.

§ 154.25 *Informal submission for staff suggestions.* Any natural-gas company may informally submit a tariff or any part thereof or material relating thereto for the suggestions of the staff of the Commission prior to filing.

§ 154.26 *Number of copies to be supplied.* Two copies of any tariff, executed service agreement or part thereof and material relating thereto, certificates of adoption, and notices of cancellation or termination submitted for filing must be

supplied to the Commission. All copies are to be included in one package, together with letter of transmittal and other material and information required by the rules in this part, and addressed to the Federal Power Commission, Washington 25, D. C. The Commission reserves the right to request additional copies.

§ 154.27 *Comments by interested parties.* Comments of any purchaser or other interested party concerning any filing made pursuant to this part should be submitted within 15 days after the date of filing. This section shall not limit any right to file protests and complaints.

FORM AND COMPOSITION OF TARIFF

§ 154.31 *Application.* Sections 154.32 through 154.41 after _____ are applicable to all rate schedules thereafter filed or restated, except that such sections are only partially applicable, as specified in § 154.52, to rate schedules for the exchange or pooling of natural gas or the coordination of facilities. (A form of an assembled Tariff, FPC Form No. _____, is available upon request.)

§ 154.32 *Form, type, and size.* The tariff shall be printed, typewritten or otherwise reproduced on 8½- by 11-inch sheets of a durable paper so as to result in a clear and permanent record. The sheets of the tariff shall be ruled to set off borders of 1¼ inches on top, bottom and left sides and ½ inch on the right side, punched on the left side and assembled in a binder.

§ 154.33 *Binder, title page, and arrangements.* The binder shall show on the front cover:

FPC Gas Tariff
Original Volume No. 1
of
(Name of Natural-Gas Company)
Filed With
FEDERAL POWER COMMISSION

If it is advisable to submit the tariff in two or more volumes, the volumes shall be identified by "Original Volume No. 1", "Original Volume No. 2" etc., directly below the words "FPC Gas Tariff." Rate schedules for which special exception has been obtained under § 154.52 may be filed in a separate volume as part of the tariff.

When any volume of a tariff is to be superseded or replaced in its entirety, the replacing volume shall show prominently on the binder and the title page the volume number being superseded or replaced, as for example:

FPC Gas Tariff
First Revised Volume No. 1
(Supersedes Original Volume No. 1)

The first page shall be a title page which shall carry the information shown on the cover and, in addition, the name, title, and address of the person to whom communications concerning the tariff should be sent.

All sheets except the title page shall have the following information placed in the margins:

* Effective date of rules.

(a) *Identification.* At the left above the top marginal ruling, the exact name of the company shall be shown, under which shall be set forth the words "FPC Gas Tariff," together with volume identification where applicable.

(b) *Numbering of sheets.* At the right above the top marginal ruling, the sheet number shall appear after the words "Original Sheet No. _____." All sheets in the originally filed tariff shall be numbered consecutively beginning with the table of contents as "Original Sheet No. 1"

Revised or superseding sheets shall be numbered "_____ Revised Sheet No. _____" below which shall appear "Superseding _____ Sheet No. _____." The first blank above shall show the number of the revision (i. e., First, Second, etc.) and the sheet number shall be the same as the sheet replaced. The third and fourth blanks shall be filled according to the numbering of the sheet or sheets replaced.

Sheets which are to be inserted between two consecutively numbered sheets shall be designated "Original Sheet _____," with the blank space filled with the appropriate number and a letter to indicate an insertion. Illustration: Three sheets which would come between original sheets 8 and 9 would be designated "Original Sheet 8A," "Original Sheet 8B," and "Original Sheet 8C."

(c) *Issuing officer and issued date.* On the left below the lower marginal ruling, shall be placed "Issued by-" followed by the name and title of the person authorized to issue the sheet. Immediately below shall be placed "Issued on" followed by the date of issue.

(d) *Effective date.* On the right below the lower marginal ruling shall be placed "Effective:" followed by the specific effective date desired by the company.

(e) *Sheets filed to comply with Commission orders.* Sheets which are filed to make effective rate schedules or provisions ordered by the Commission shall carry the following notation in the bottom margin: "Issued to comply with an order of the Federal Power Commission, Docket No. _____, dated _____."

§ 154.34 *Composition of tariff.* The tariff shall contain, in the order named, sections setting forth a table of contents, a preliminary statement, a map of the system, the rate schedules, general terms and conditions, form of service agreement and an index of purchasers.

Rate schedules shall be grouped according to class and numbered serially within each group, using a letter before the serial number to indicate the class of service. For example, G-1, G-2 may be used for general service; I-1, I-2, for interruptible service; T-1, T-2 for transmission service; X-1, X-2 for the interchange or pooling of natural gas or the coordination of facilities.

§ 154.35 *Table of contents.* The table of contents shall contain a list of the rate schedules and other sections in the order in which they appear, showing the sheet number of the first page of each section. The list of rate schedules shall consist of (a) the symbol designation of each rate schedule, (b) a very brief description of the service, and (c) the sheet

number of the first page of each rate schedule.

§ 154.36 *Preliminary statement.* The preliminary statement shall contain a brief general description of the company's operations and may also contain a general explanation of its policies and practices. No general rules and regulations shall be included in the preliminary statement, nor any material necessary for the interpretation or application of the rate schedules.

§ 154.37 *Map.* The map shall show on a single sheet, if practicable, the general geographic location of the company's facilities and points at which service is rendered under the tariff. Where the company's rate schedules are generally available by area, the boundary lines of the rate zones or rate areas should be shown and the areas or zones identified.

§ 154.38 *Composition of rate schedule.* The sheets of a rate schedule shall contain a statement of a single rate and all terms and conditions governing its application, arranged as follows:

(a) *Title.* Each rate schedule shall have a title consisting of a designation (see § 154.34) and a statement of the type or classification of service to which it is applicable.

(b) *Availability.* This paragraph shall describe the conditions, and, if necessary, the geographic zone in which the rate is available.

(c) *Applicability and character of service.* This paragraph shall describe the kind or classification of service to be rendered and any other factors that may be required for a complete description of the type of service to which the rate is to be applied.

(d) *Statement of rate.* All rates shall be clearly stated in cents or in dollars and cents per unit. Only the rates and charges to be used in current billing shall be included in the tariff.

A rate having more than one part shall have each part set out separately under appropriate headings such as: Demand Charge, Commodity Charge, etc. The minimum bill and other provisions affecting charges shall not be included in this paragraph, but shall be included in the following paragraphs.

No rule, regulation, exception or condition such as tax, commodity price index, wholesale price index, purchased gas cost adjustment clauses or other similar price adjustments shall be included in the tariff which in any way attempts to authorize the modification or change of any rate specified in the tariff, or the substitution therefor of any other rate.

(e) *Minimum bill.* The minimum bill heading shall appear on every rate schedule followed by the word "None" if no minimum bill is provided.

(f) *Other provisions.* All other major provisions governing the application of the rate schedule, such as determination of billing demand, contract demand, heat content, measurement base, shall be set forth similarly with appropriate headings.

(g) *Applicable general terms and conditions.* This paragraph shall list by reference the general terms and conditions

which apply to the particular rate schedule.

§ 154.39 *General terms and conditions.* This section shall contain provisions which apply to all or any of the rate schedules and which may more conveniently be arranged in a separate section of the tariff. Sub-sections and paragraphs shall be numbered for convenient reference.

§ 154.40 *Composition of service agreement.* There shall be submitted as part of the tariff a form of service agreement. The service agreement should contain the name of the purchaser, service to be rendered, area to be served, maximum obligation to deliver, delivery points, pressure, applicable rate schedules by reference to the tariff, effective date and term, and identification of any prior agreements being superseded.

§ 154.41 *Index of purchasers.* The index of purchasers shall contain an alphabetical list of all purchasers, showing for each the rate schedule or schedules under which service is rendered, and the following information concerning the service agreement: (a) The date of execution, (b) the effective date and (c) the term.

The index of purchasers shall be kept current by filing new or revised sheets within 60 days of any change.

SPECIAL PERMISSIONS

§ 154.51 *Waiver of notice requirements.* Upon application and for good cause shown, the Commission may by order provide that a tariff or executed service agreement or any part thereof shall be effective on less than 30 days notice, or prior to date of filing.

§ 154.52 *Exception to form and composition of tariff.* Upon application and for good cause shown, the Commission, in the case of an arrangement for exchange or pooling of natural gas or for coordination of facilities, may permit special rate schedules covering such arrangements to be filed in the form of an agreement among the parties concerned. Such rate schedules shall conform to the form, type and size specified in § 154.32 and shall contain on each sheet the marginal notations specified in § 154.33. In addition each such rate schedule shall contain a title page which shall show its designation, the parties to agreement, the date of agreement and a brief generalized description of services to be rendered. Such rate schedules shall not contain any supplements. Any modifications shall be by revised or insert sheets.

Such rate schedules may be included in a separate volume of the tariff, which shall contain a table of its contents. This table of contents shall also be incorporated with the table of contents of other volumes.

METHOD OF SUBMISSION FOR FILING

§ 154.61 *Application.* Sections 154.62 through 154.65 apply to all tariffs, executed service agreement, or parts thereof which are filed after _____.¹

¹ Effective date of rules.

§ 154.62 *Material submitted with initial tariff, executed service agreement or parts thereof.* With the filing of any tariff, executed service agreement or part thereof not superseding or making any change in a tariff, executed service agreement or part thereof already on file, there shall be included a letter of transmittal containing a list of the material inclosed, the date on which such filing is proposed to become effective, and a list of the purchasers to whom it has been mailed. In addition, the following material shall be submitted:

(a) *Statement of the reasons for initial tariff or part thereof.* A statement of the nature, the reason and the basis for the proposed initial tariff or part thereof. Data submitted in response to subsequent items may be included by reference as a part of the response to this item.

(b) *Estimate of sales and revenues.* An estimate of sales and revenues, by months, under the proposed tariff, executed service agreement or part thereof for the 12 months immediately succeeding the proposed effective date. The estimate should be subdivided to show sales and revenues by rate schedules, classes of service, customers and delivery points, when more than one is involved. Sales data should include estimates of actual and billing quantities, that are to be used to compute the charges, such as actual demands, billing demands, volumes, heat content, and other determinants.

(c) *Comparison with other tariffs or parts thereof.* A comparison of any such proposed tariff or part thereof with other tariffs or parts thereof of the company for similar service.

(d) *Relationship to costs.* A statement of the relationship between the proposed tariff or part thereof and the costs of rendering service. For this purpose there shall be submitted the information specified in § 154.63 (d)

§ 154.63 *Material submitted with changes in a tariff, executed service agreements or part thereof.* With the filing of any tariff, executed service agreement or part thereof which changes or supersedes any tariff, executed service agreement or part thereof on file with the Commission, there shall be included a letter of transmittal containing a list of the material inclosed, the date on which such filing is proposed to become effective, and a list of the purchasers to whom it has been mailed. In addition, the following material is to be submitted:

(a) *Statement of reasons for change.* A statement of the nature, the reasons and the basis for the proposed change. Data submitted in response to subsequent items may be included by reference as a part of the response to this item.

(b) *Comparison of sales and revenues.* A comparative statement of sales and revenues, by months, under the present and the proposed tariff, contract or part thereof, each applied to the transactions for the twelve months immediately preceding and for the twelve months immediately succeeding the proposed effective date of the change in tariff, contract or part thereof. Actual sales and revenues

should be used as far as possible, and any estimated data should be designated as such. The statement should be subdivided to show sales and revenues by rate schedules, classes of service, customer, and delivery points when more than one is involved. Sales data should include actual and billing quantities that are used to compute the charges, such as actual demands, billing demands, volumes, heat content and other determinants.

(c) *Comparison with other tariffs or part thereof.* A comparison of the proposed tariff or part thereof with other tariff or part thereof of the company for similar service.

(d) *Rate increase applications.* If the proposed change in tariff or part thereof will result in an increase in rates or charges, there shall be submitted in support of the proposed increased rate or charge a statement showing the cost of service for the entire system, and also the cost allocated to the particular service or classification for which the increase in rates or charges is proposed, together with an explanation of the allocation methods.

The information submitted in the statement shall show for the most recent 12-month period or calendar year:

(1) The original cost of facilities, the depreciation reserve, and the resulting net plant, segregated functionally by major account classifications.

(2) Working capital including materials and supplies, with an explanation of the method of derivation thereof.

(3) Rate base, consisting of subparagraphs (1) and (2) of this paragraph.

(4) Gas operating expenses segregated functionally by major account classifications.

(5) Annual charges for depreciation segregated according to each major account classification shown in subparagraph (1) of this paragraph; the annual depreciation rates used in computing such charges; and the method of determining such depreciation rates.

(6) Taxes charged to gas operations, classified under appropriate headings of Federal, State and local, with appropriate sub-classification. There should be shown herein any increases in taxes estimated to result from the proposed rate increase, together with the method of derivation of the estimated amount of such tax increase.

(7) Rate of return claimed as reasonable, and the resulting amount of return.

(8) Cost of service as developed from above items.

(9) Relationship between the proposed tariff or part thereof which results in an increase in rates or charges, and the costs allocated to the particular service or classification.

The statement shall show, by major account classifications, any significant changes in costs experienced during the period for which the above information is submitted, or which are anticipated in the future, with an explanation of the reasons therefor.

(e) *Submission of material by reference.* If all or any portion of the information called for by paragraphs (a) through (d) of this section has already

been submitted to the Commission, specific reference thereto may be made in lieu of resubmission in response to these requirements.

§ 154.64 *Cancellation or termination.* When a filed tariff, executed service agreement or part thereof is proposed to be cancelled or is to terminate by its own terms and no new tariff, executed service agreement or part thereof is to be filed in its place, the natural-gas company shall notify the Commission of the proposed cancellation or termination on the form indicated in § 250.2 or 250.3 of this chapter, whichever is applicable, at least thirty days prior to the proposed effective date of such cancellation or termination. A copy of such notice to the Commission shall be duly posted. With such notice, the company shall submit a statement showing the reasons for the cancellation or termination, a list of the affected purchasers to whom the notice has been mailed, and the sales and revenues, by months, for the twelve months immediately preceding the proposed effective date of the cancellation or termination. Actual sales and revenues should be used as far as possible, and any estimated data should be designated as such. The statement of sales and revenues should be subdivided to show sales and revenues by rate schedules, classes of service, customers and delivery points when more than one is involved.

§ 154.65 *Adoption of tariff by successor.* Whenever the tariff or executed service agreements of a natural-gas company are to be adopted by another company or person as a result of an acquisition, or merger, or for any other reason, the succeeding company shall file with the Commission and post within thirty days after such succession a certificate of adoption on the form prescribed in § 250.4 of this chapter. Within ninety days after such notice is filed, the succeeding company shall file a tariff with the sheets bearing the correct name of the successor company, to replace the tariff previously adopted.

RESTATEMENT OF SCHEDULES FILED PRIOR TO _____¹

§ 154.81 *Application.* Sections 154.82 through 154.85 apply to schedules of rates, charges, classifications, services, practices, regulations and contracts for the transportation or sale of natural gas subject to the jurisdiction of the Commission filed prior to _____², which have not been prepared in accordance with §§ 154.31 through 154.41.

§ 154.82 *Requirement for restatement.* All schedules of rates, charges, classifications, services, practices, regulations, and contracts not prepared in accordance with §§ 154.31 through 154.41 shall be restated and filed as a Tariff in accordance with said sections on or before the dates specified in § 154.83 and duly posted at the time of filing: *Provided, however,* That when necessary, pending completion of restatement within the time provided for by § 154.83, schedules may be filed in accordance with Part 154 as in effect prior to _____³

¹ Effective date of rules.

§ 154.83 *Filing date of restatements.* Natural gas companies shall file tariffs constituting restatements of their rate schedules on or before the dates specified below:

Companies Making Their Major Sales in and Date

Colorado, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, Utah, West Virginia, Wisconsin, Wyoming: On or before _____²
Alabama, District of Columbia, Florida, Georgia, Kentucky, Maryland, New York, New Jersey, North Carolina, Pennsylvania, Tennessee, Virginia: On or before _____³
Arizona, Arkansas, California, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas: On or before _____⁴

§ 154.84 *Plan of restatement.* The restatement shall contain the provisions of schedules of rates, charges, classifications, practices, services, regulations and contracts effective on the date the tariff is filed. However, concurrent with the restatement a natural-gas company may propose changes in rates, charges, classifications, services, practices, rules and regulations in accordance with § 154.63. Differences in the phraseology of schedules should be reconciled whenever possible. The effective date to be shown on the tariff sheets shall be that desired by the company, but not less than 30 days nor more than 60 days after filing pursuant to § 154.83.

§ 154.85 *Availability of Commission staff for advice prior to formal filing.* Any natural-gas company restating its schedules in accordance with § 154.82 may informally submit a tariff or any part thereof for the suggestions of the staff of the Commission, or may confer with the staff of the Commission to obtain advice on any problem of restatement, prior to submission of the tariff to the Commission for filing and posting.

PART 155—CONTRACTS AND RATE SCHEDULES FOR DIRECT INDUSTRIAL SALES

§ 155.1 *Contracts and rate schedules for direct industrial sales.* Every natural-gas company shall currently furnish to the Commission two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for the direct sale of natural gas to industrial consumers for consumption where such contract involves the sale of 100 Mcf per day or more, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, services, rules and regulations relative to such sale; *Provided, however,* That when such a presently filed contract is renewed or extended on identical terms except as to the period during which it is to be in effect, the natural-gas company may notify the Commission of such renewal or extension by letter, in duplicate, stating the date of the renewal or extension agreement and the period during which it is to be in

² Ninety days after effective date of rules.

³ One hundred and twenty days after effective date of rules.

⁴ One hundred and fifty days after effective date of rules.

effect, instead of furnishing to the Commission two copies of such renewal or extension agreement.

Subchapter G—Approved Forms, Natural Gas Act
PART 250—FORMS

- Sec.
250.2 Form of proposed cancellation of tariff or part thereof (See § 154.64).
250.3 Form of proposed cancellation or termination of contract or part thereof (See § 154.64).
250.4 Form of certificate of adoption (See § 154.65).

§ 250.2 *Form of proposed cancellation of tariff or part thereof (see § 154.64)*

----- Revised Sheet No. -----
Superseding-Sheet(s) No. -----
Name of company -----
FPC Gas Tariff -----

CANCELLATION OF TARIFF

To be used for cancellation of an entire Tariff
Notice is hereby given that effective -----, FPC Gas Tariff of ----- (date) ----- (Name of company), is to be cancelled.

CANCELLATION OF RATE SCHEDULE -----
To be used when an entire Rate Schedule is to be cancelled

Notice is hereby given that effective ----- (date) -----, Rate Schedule ----- constituting ----- Sheet(s) No(s) ----- of the FPC Gas Tariff of ----- is to be cancelled.
(Name of company)

CANCELLATION OF SHEET No. -----
To be used for cancellation of individual sheets
Notice is hereby given that effective ----- (date) -----, Sheet(s) No(s) ----- of the FPC Gas Tariff of ----- (Name of company) is to be cancelled.

Issued by: (Name and title of issuing officer). Effective: (Date).
Issued on:

§ 250.3 *Form of proposed cancellation or termination of contract or part thereof (see § 154.64)*

Notice is hereby given that effective the ----- day of -----, -----, the contract with ----- (Name of purchaser or purchasers) dated ----- and relating to service under rate schedule(s) ----- (Here identify the rate schedule(s), giving ----- is to be ----- sheet numbers in the Tariff) ----- (Specify whether it automatically terminates

----- by its terms or is to be cancelled by action of the parties.)

----- (Name of natural-gas company filing notice)
By -----
----- (Title)
Dated -----

§ 250.4 *Form of certificate of adoption (See § 154.65)*

The ----- effective ----- (Exact name of company or person) ----- (Address) ----- (Effective date) ----- hereby adopts, ratifies, and of adoption) makes its own, in every respect, the Tariff and contracts listed below, which have heretofore been filed with the Federal Power Commission by ----- (Exact name of predecessor)

----- (Here identify the Tariff and contracts adopted.)

----- (Name of successor)
By -----
----- (Title)
Dated -----, 194--

[F. R. Doc. 48-3376; Filed, Apr. 15, 1948; 8:53 a. m.]

FEDERAL RESERVE SYSTEM

[12 CFR, Part 210]

CHECK CLEARING AND COLLECTION NOTICE OF PROPOSED AMENDMENTS

Pursuant to section 4 of the Administrative Procedure Act and section 2 of the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 1946 Supp. 262,2), notice is hereby given of the proposed adoption by the Board of Governors of the Federal Reserve System of certain amendments to Part 210, relating to the clearing and collection of checks by Federal Reserve Banks. Authority for the adoption of such amendments is contained in sections 11 (i) 13, and 16 of the Federal Reserve Act (U. S. C., Title 12, secs. 248 (i) 248 (o) 342, and 360)

Interested persons may submit data, views or arguments with respect to the proposed amendments; and such material should be submitted in writing. Although submittals or requests may be sent directly to the Board, it is preferable that they be sent to the Federal Reserve Bank of the district, which will forward them to the Board. To be considered, all material must be received not later than May 17, 1948.

The proposed amendments to Part 210 would be substantially as follows:

1. Paragraph (b) of § 210.5 *Terms of collection*, would be amended by adding at the end of such paragraph the following sentence: "A Federal Reserve bank, or any agent to which such checks are forwarded by a Federal Reserve bank, may present such checks pursuant to any special collection agreement not inconsistent with the terms of this part or may present them through a clearing house or clearing house association subject to the rules and practices thereof."

2. Section 210.5 would be amended by inserting therein a new paragraph (d) reading as set forth below and by changing the designations of present paragraphs (d) to (h) inclusive, so that such paragraphs will be designated (e) to (i), inclusive:

(d) Any check which a Federal Reserve bank or an agent thereof presents to the drawee bank for payment or sends to the drawee bank for collection, and for which remittance or settlement is made by the drawee bank on the day on which it receives^a such check, may be returned for credit or refund at any time prior to midnight of the drawee's next business day following such day of receipt or prior to the time provided by applicable clearing house rule or special collection agreement, whichever is earlier, except that this paragraph shall not apply to checks presented over the counter.

3. Section 210.6 would be amended to read as follows:

§ 210.6 *Other rules and regulations.* Each Federal Reserve bank may also promulgate rules not inconsistent with the terms of the law or of this part, governing the details of its operations in clearing and collecting checks and other cash items. Such rules shall be set forth by the Federal Reserve bank in its letters of instruction to its member and non-member clearing banks and shall be binding upon any member or nonmember clearing bank which sends any check or other cash item to such Federal Reserve bank for collection or to any other Federal Reserve bank for the account of such Federal Reserve bank for collection.

Issued this 13th day of April 1948.

BOARD OF GOVERNORS OF
THE FEDERAL RESERVE
SYSTEM,
S. R. CARPENTER,
Secretary.

[F. R. Doc. 48-3341; Filed, Apr. 15, 1948; 8:56 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[13139]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

APRIL 9, 1948.

In an exchange of lands made under the provisions of section 8 of the act of

June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. sec. 315g) the lands hereinafter described have been conveyed to the United States.

At 10:00 a. m. on June 11, 1948, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from June 11, 1948, to September 9, 1948, inclusive, the public lands affected by this order shall be subject to (1) ap-

^a A check received by a drawee bank on a day other than a business day or received on a business day after its regular business hours shall be deemed to have been received on the next succeeding business day.

plication under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from May 24, 1948, to June 11, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on June 11, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on September 9, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from August 20, 1948, to September 9, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on September 9, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Cheyenne, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Cheyenne, Wyoming.

The lands affected by this order are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 25 N., R. 71 W., 6th P. 22, Wyoming,
Sec. 32, E $\frac{1}{2}$ E $\frac{1}{2}$.
Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 27 N., R. 83 W.,
Sec. 10, SW $\frac{1}{4}$.
T. 28 N., R. 83 W.,
Sec. 33, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
and NW $\frac{1}{4}$ SE $\frac{1}{4}$, containing 680 acres.

Available data indicate that the lands in T. 25 N., R. 71 W., are rough and mountainous in character, part of the land being in the Medicine Bow National Forest. The soils are mountain loam, rocky in character and covered with granite rock outcrop in large areas.

The lands in Tps. 27 and 28 N., Rs. 83 W., vary from rolling to hilly with sandy loam soils, and are crossed by spring-fed streams and draws, and are in Wyoming Grazing District No. 3, established October 31, 1936.

THOS. C. HAVELL,
Assistant Director.

[F. R. Doc. 49-3340; Filed, Apr. 15, 1948;
8:56 a. m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket No. C387]

PORT HURON BROADCASTING CO. (WHLS)

ORDER SETTING DATE FOR ORAL ARGUMENT

In re application of Port Huron Broadcasting Company (WHLS) Port Huron, Michigan, Docket No. 6987, File No. B2-R-976; for renewal of license.

Whereas, the Commission on January 30, 1948, issued a Proposed Decision in the above-entitled case which proposed that applicant be granted a renewal of license, and the Proposed Decision involved the application of Section 315 of the Communications Act of 1934, as amended;

Whereas, petitions have been received from the National Association of Broadcasters and E. D. Rivers, licensee of Station WGOV Valdosta, Georgia, on February 18 and February 20, 1948, respectively, requesting, in substance, that the Commission omit all reference to the interpretation and application of section 315 from the decision on the above-entitled application and make the interpretation of section 315 the subject of a separate general proceeding, and that petitioners be afforded an opportunity to file briefs and present oral argument in the above-entitled proceeding; and

Whereas, Station KIDO, Boise, Idaho, by letter dated March 11, 1945, has expressed a desire to participate in any proceedings dealing with the responsibility of station licensees under section 315,

It is ordered, That the above-entitled matter be set down for oral argument on the 7th day of May 1948, at Washington, D. C., 2:00 p. m. and that petitioners and Station KIDO be granted leave to file briefs and to appear and present oral argument with respect to the matters set out in the Proposed Decision of January 30, 1948, in the above-entitled pro-

ceeding and the matters set out in their petitions.

Adopted: April 8, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWTE,
Secretary.

[F. R. Doc. 48-3368; Filed, Apr. 15, 1948;
8:52 a. m.]

[Docket No. 8140]

W. W. ROARK

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of W. W. Roark, Coleman, Texas, Docket No. 8140, File No. BP-5527; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 8th day of April 1948;

The Commission having under consideration the above entitled application for a construction permit for a new standard broadcast station to operate on the frequency 1230 kc, with 250 w power, unlimited time at Coleman, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation and the character of other broadcast service available to those areas and populations.

3. To determine the types and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operation would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation would involve objectionable interference with station KWTX, Waco, Texas, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That KWTX Broadcasting Company, permittee of sta-

tion KWTX in Waco, Texas, be, and it is hereby, made a party to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3365; Filed, Apr. 15, 1948;
8:52 a. m.]

[Docket Nos. 8417, 8919]

EVANGELINE BROADCASTING CO., INC.
(KVOL) AND RADIO STATION KRMD

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Evangeline Broadcasting Company, Inc. (KVOL) Lafayette, Louisiana, Docket No. 8417, File No. BP-5668; T. B. Lanford, R. M. Dean, Mrs. T. B. Lanford, Sr., and Mrs. R. M. Dean d/b as Radio Station KRMD, Shreveport, Louisiana, Docket No. 8919, File No. BP-5983; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of April 1948;

The Commission having under consideration the above-entitled application of Evangeline Broadcasting Company, Inc. for a construction permit to change the frequency of Station KVOL from 1340 kc to 1480 kc, and to increase power from 250 w, unlimited time to 1 kw, 5 kw-L5, unlimited time, at Lafayette, Louisiana, and the above-entitled application of Radio Station KRMD, seeking like facilities at Shreveport, Louisiana; and also having under consideration a petition filed by Wabash Valley Broadcasting Corporation, permittee of Station WTHI, Terre Haute, Indiana, to designate said applications for hearing, and an opposition thereto filed March 29, 1948, by Evangeline Broadcasting Company, Inc. (KVOL),

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant partnership and the partners and of the applicant corporation, its officers, directors and stockholders to construct and operate stations KRMD and KVOL, respectively, as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operations would involve objectionable interference with stations WTHI, Terre Haute, Indiana; KAUS, Austin, Minnesota; WRDW Augusta, Georgia; KILM, Lincoln, Nebraska; KANS, Wichita, Kan-

sas; WABB, Mobile, Alabama, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operations would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed installations and operations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

8. To determine the overlap, if any, that will exist between the service areas of Station KVOL as proposed and of Station KANE at New Iberia, Louisiana, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

It is further ordered, That Wabash Valley Broadcasting Corporation, permittee of Station WTHI, Terre Haute, Indiana; Augusta Broadcasting Company, licensee of Station WRDW Augusta, Georgia; Cedar Valley Broadcasting Co., permittee of Station KAUS, Austin, Minnesota; Lincoln Broadcasting Corporation, permittee of Station KILM, Lincoln, Nebraska; Kansas Broadcasting Inc., licensee of Station KANS, Wichita, Kansas; and Mobile Daily Newspapers, Inc., permittee of Station WABB, Mobile, Alabama, be, and they are hereby, made parties to this proceeding; and

It is further ordered, That the aforesaid petition of Wabash Valley Broadcasting Corporation (WTHI) be, and it is hereby, granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3364; Filed, Apr. 15, 1948;
8:52 a. m.]

[Docket No. 8786]

KGAR AND KGAR-FM

ORDER DESIGNATING THE MATTER FOR HEARING

In the matter of the revocation of construction permits of Stations KGAR and KGAR-FM, Garden City, Kansas, Docket No. 8786.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of April 1948;

The Commission having under consideration the written application filed pursuant to section 312 (a) of the Commu-

nications Act of 1934, as amended, by Albert B. Pyatt, permittee of Stations KGAR and KGAR-FM, requesting hearing in the above-entitled matter;

It is ordered, That, pursuant to section 312 (a) of the Communications Act of 1934, as amended, the above-entitled matter be, and it is hereby, designated for hearing on all matters pertinent to the Commission's order of revocation dated February 27, 1948, said hearing to commence at a time and place to be determined.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3362; Filed, Apr. 15, 1948;
8:52 a. m.]

[Docket Nos. 8813-8817, 8824, 8901]

BALBOA RADIO CORP. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Balboa Radio Corporation, San Diego, California, Docket No. 8813, File No. BPCT-197; McKinnon Publications, Inc., San Diego, California, Docket No. 8814, File No. BPCT-298; Airfan Radio Corporation, San Diego, California, Docket No. 8815, File No. BPCT-313; Leon N. Papernow, William S. Eddy, Richard T. Clarke, Russell R. Rogers, Charles A. Muehling, d/b as Television Broadcasting Company, San Diego, California, Docket No. 8816, File No. BPCT-314; San Diego Broadcasting Company, San Diego, California, Docket No. 8817, File No. BPCT-318; Video Broadcasting Company (a copartnership, consisting of John A. Masterson, Harold M. Holden, John W. Nelson, John F. Reddy, Lester C. Bacon, W. F. Laughlin, Charles Wesley Turner, J. G. Moser, I. D. Ditmars, Charles B. Brown and H. E. Moser) San Diego, California; Docket No. 8824, File No. BPCT-341; Thomas S. Lee Enterprises, Inc. d/b as Don Lee Broadcasting System, San Diego, California, Docket No. 8901, File No. BPCT-364; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 8th day of April 1948;

The Commission having under consideration the above-entitled application of Thomas S. Lee Enterprises, Inc. d/b as Don Lee Broadcasting System (File No. BPCT-364) requesting a construction permit for a television broadcast station to operate unlimited time on a television channel allocated to the San Diego metropolitan district under § 3.608 of the Commission's rules and regulations; and

It appearing, that on February 26, 1948, the applications for television stations for San Diego exceeded in number the unassigned channels allocated to said district, and that on the same day said applications were designated for consolidated hearing by order of the Commission;

It is ordered, That pursuant to section 309 (a) of the Communications Act, as amended, the above-entitled application

of Thomas S. Lee Enterprises, Inc. d/b as Don Lee Broadcasting System (File No. BPCT-364) be, and it is hereby, designated for hearing in a consolidated proceeding with the other pending applications for stations at San Diego, California, i. e., File Nos. BPCT-197, BPCT-298, BPCT-313, BPCT-314, BPCT-318, and BPCT-341, at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the issues in Docket Nos. 8813, 8814, 8815, 8817 and 8824 be, and they are hereby, enlarged to include in each case issues 4, 5, and 6 above.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3361; Filed, Apr. 15, 1948;
8:52 a. m.]

[Docket No. 8904]

PANAMA CITY BROADCASTING CO. (WDLP)

ORDER DESIGNATING APPLICATION FOR
HEARING

In re application of Panama City Broadcasting Company (WDLP) Panama City, Florida, Docket No. 8904, File No. BML-1282; for modification of license.

At a session of the Federal Communications Commission, held at its offices in

Washington, D. C., on the 8th day of April 1948;

The Commission having under consideration the above-entitled application of Panama City Broadcasting Company (operating Station WDLP at Panama City, Florida, on 590 kc, with 1 kw power and directional antenna night and day) requesting a modification of its license so as to operate with a directional antenna nighttime only;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issue: To determine whether Station WDLP, operating as proposed, would involve interference with Station CMCY, Havana, Cuba, or any other foreign broadcast station as defined in the North American Regional Broadcasting Agreement and the nature and extent of such interference, if any.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3363; Filed, Apr. 15, 1948;
8:52 a. m.]

[Docket Nos. 8305-8308]

CAPITOL BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Capitol Broadcasting Corporation, Indianapolis, Indiana, Docket No. 8905, File No. BPCT-110; Indianapolis Broadcasting, Inc., Indianapolis, Indiana, Docket No. 8906, File No. BPCT-281, Crosley Broadcasting Corporation, Indianapolis, Indiana, Docket No. 8907, File No. BPCT-290; Indiana Broadcasting Corporation, Indianapolis, Indiana, Docket No. 8908, File No. BPCT-328; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of April 1948;

The Commission having under consideration a petition filed by the Capitol Broadcasting Corporation seeking reinstatement of its above entitled application (File No. BPCT-110) for a construction permit for a television broadcast station to operate unlimited time on a television channel allocated under § 3.606 of the Commission's rules and regulations to the Indianapolis, Indiana metropolitan district, and also having under consideration a proposed amendment, filed February 18, 1948, by the Capitol Broadcasting Corporation, requesting change of television channel from No. 3 to No. 8, and requesting changes in type of equipment, effective radiated power of both oral and visual transmitters, and change of transmitter location;

The Commission also having under consideration the above applications of Indianapolis Broadcasting, Inc. (File No.

BPCT-281) Crosley Broadcasting Corporation (File No. BPCT-290) and Indiana Broadcasting Corporation (File No. BPCT-328) each seeking a construction permit for a television station to operate unlimited time on channels allocated under § 3.606 of the Commission's rules and regulations to the Indianapolis, Indiana, metropolitan district;

It appearing, that the above entitled applications including that of the Capitol Broadcasting Corporation (File No. BPCT-110) exceed in number the unassigned television channels allocated to the Indianapolis, Indiana, metropolitan district under § 3.606 of the Commission's rules and regulations:

It is ordered, That the petition of the Capitol Broadcasting Corporation to reinstate its application for a television station at Indianapolis, Indiana (File No. BPCT-110) as well as the proposed amendment to said application filed February 18, 1948, be, and they are hereby, granted;

It is further ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3360; Filed, Apr. 15, 1948;
8:51 a. m.]

[Docket No. 6883]

CRESCENT BROADCAST CORP.

ORDER CONTINUING HEARING

In re application of Crescent Broadcast Corporation, Shenandoah, Pennsylvania, Docket No. 6883, File No. BP-4092; for construction permit.

Whereas the above-entitled application is scheduled to be heard at Washington, D. C., on April 7, 1948; and

Whereas the above-entitled applicant has filed a petition for reconsideration and grant without hearing of the above-entitled application, and the public interest, convenience and necessity would be served by a continuance of the said hearing pending disposition of the said petition;

It is ordered, This 2d day of April 1948, that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Thursday, May 6, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3348; Filed, Apr. 15, 1948;
8:49 a. m.]

[Docket Nos. 7490, 8341, 8867-8869]

KSAL, INC., ET AL.

ORDER SCHEDULING HEARING

In re applications of KSAL, Incorporated (KSAL) Salina, Kansas, Docket No. 7490, File No. BP-4364; Radio Broadcasters, Incorporated (KRKD) Los Angeles, California, Docket No. 8341, File No. BML-1242 (CP) KFJI Broadcasters (KFJI) Klamath Falls, Oregon, Docket No. 8867, File No. BP-4573; Gila Broadcasting Company, Coolidge, Arizona, Docket No. 8868, File No. BP-4677; Mosby's Incorporated, Great Falls, Montana, Docket No. 8869, File No. BP-5481, for construction permits.

Whereas the above-entitled applications were designated for hearing, on March 18, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10:00 a. m., Monday, May 3, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3350; Filed, Apr. 15, 1948;
8:49 a. m.]

[Docket No. 8254]

MT. PLEASANT BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Winston O. Ward, tr/as Mt. Pleasant Broadcasting Company, Mt. Pleasant, Texas, Docket No. 8254, File No. BP-5439; for construction permit.

Whereas the above-entitled application of Winston O. Ward, tr/as Mt. Pleasant Broadcasting Company, Mt. Pleasant, Texas, is scheduled to be heard at Washington, D. C., on April 6, 1948; and

Whereas the said applicant filed on February 5, 1948, a petition requesting reconsideration and grant without hearing of the above-entitled application, which has not yet been acted on by the Commission; and

Whereas the public interest, convenience, and necessity would be served by a continuance of the hearing on the above-entitled application until the Commission has had an opportunity to act on the said petition for reconsideration and grant without hearing;

It is ordered, This 2d day of April, 1948, that the said hearing be, and it is hereby, continued to 10:00 a. m., Wednesday, April 21, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3349; Filed, Apr. 15, 1948;
8:49 a. m.]

[Docket Nos. 8661, 8662, 8781]

NEW ENGLAND TELEVISION CO., INC., ET AL.

ORDER CONTINUING HEARING

In re applications of New England Television Co., Inc., Fall River, Massachusetts, Docket No. 8661, File No. BPCT-209; E. Anthony & Sons, Inc., New Bedford, Massachusetts, Docket No. 8662, File No. BPCT-217; Fall River Herald News Publishing Company, Fall River, Massachusetts, Docket No. 8781, File No. BPCT-301, for construction permits.

The Commission having under consideration a petition filed April 1, 1948, by New England Television Company, Inc., Fall River, Massachusetts, requesting a continuance of the consolidated hearing now scheduled for April 7, 8, and 9, 1948, on the above-entitled proceeding;

It is ordered, This 6th day of April, 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Wednesday, April 21, 1948 and April 22, 1948, at Fall River, Massachusetts, and April 23, 1948, at New Bedford, Massachusetts.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3337; Filed, Apr. 15, 1948;
8:49 a. m.]

[Docket Nos. 8748-8750]

TEXAS TELEVISION ET AL.

ORDER CONTINUING HEARING

In re applications of L. F. Corrigan, tr/as Texas Television, Dallas, Texas, File No. BPCT-238, Docket No. 8748; A. H. Belo Corporation, Dallas, Texas, File No. BPCT-240, Docket No. 8749; Variety Broadcasting Co., Inc., Dallas, Texas, File No. BPCT-265, Docket No. 8750; for construction permits.

The Commission having under consideration a petition filed April 6, 1948, by A. H. Belo Corporation, Dallas, Texas, requesting continuance for a period of twenty days, or until such time as the Commission may determine, of the hearing on its above-entitled application for television construction permit and the above-entitled applications of L. F. Corrigan, tr/as Texas Television, Dallas, Texas, and Variety Broadcasting Company, Inc., Dallas, Texas, now scheduled for April 13, in Dallas, Texas;

It is ordered, This 7th day of April, 1948, that the petition be, and it is hereby, granted; and that the said hearing in the above-entitled proceeding be, and it is hereby, continued to 10:00 a. m., Monday, June 21, 1948, at Dallas, Texas.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3346; Filed, Apr. 15, 1948;
8:48 a. m.]

[Docket Nos. 8791, 8792]

SUSQUEHANNA BROADCASTING CO. AND
TRIANGLE PUBLISHERS, INC.

ORDER SCHEDULING HEARING

In re applications of Susquehanna Broadcasting Company, York, Pennsylvania, Docket No. 8791, File No. BPCT-302; Triangle Publishers, Incorporated, York, Pennsylvania, Docket No. 8792, File No. BPCT-307; for construction permits.

Whereas the above-entitled applications were designated for hearing, on February 26, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10:00 a. m., Thursday, July 1, 1948, at York, Pennsylvania.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3355; Filed, Apr. 15, 1948;
8:50 a. m.]

[Docket Nos. 8798-8801]

NEPTUNE BROADCASTING CORP. ET AL.

ORDER SCHEDULING HEARING

In re applications of Neptune Broadcasting Corporation, Atlantic City, New Jersey, Docket No. 8798, File No. BPCT-269; Mid-Atlantic Broadcasting Company Atlantic City, New Jersey, Docket No. 8799, File No. BPCT-320; Atlantic City Television Broadcasting Company, Atlantic City, New Jersey, Docket No. 8800, File No. BPCT-323; Atlantic City World, Incorporated, Atlantic City, New Jersey, Docket No. 8801, File No. BPCT-325; for construction permits.

Whereas the above-entitled applications were designated for hearing, on February 26, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April, 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10:00 a. m., Monday, July 19, 1948, at Atlantic City, New Jersey.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3353; Filed, Apr. 15, 1948;
8:50 a. m.]

[Docket Nos. 8802-8806]

NEW ENGLAND TELEVISION CO., INC., ET AL.

ORDER SCHEDULING HEARING

In re applications of New England Television Company, Inc., Kansas City, Missouri, Docket No. 8802, File No. BPCT-267; KCMO Broadcasting Company, Kansas City, Missouri, Docket No. 8803, File No. BPCT-291, Midland Broadcasting Company, Kansas City, Missouri, Docket No. 8804, File No. BPCT-292; WHB Broadcasting Company, Kansas City, Missouri, Docket No. 8805, File No. BPCT-316; KCKM Broadcasting Company, Kansas City, Kansas, Docket No. 8806, File No. BPCT-312; for construction permits.

Whereas the above-entitled applications were designated for hearing, on February 26, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April, 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10:00 a. m., Monday, July 5, 1948, at Kansas City, Missouri.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3354; Filed, Apr. 15, 1948;
8:50 a. m.]

[Docket Nos. 8818-8820]

EURITH DICKINSON RIVERS, JR., ET AL.

ORDER SCHEDULING HEARING

In re applications of Eurith Dickinson Rivers, Jr., Atlanta, Georgia, Docket No. 8818, File No. BPCT-266; Board of Regents, University System of Georgia, Atlanta, Georgia, Docket No. 8819, File No. BPCT-286; General Broadcasting Company, Atlanta, Georgia, Docket No. 8820, File No. BPCT-309; for construction permits.

Whereas the above-entitled applications were designated for hearing, on February 26, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April, 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10:00 a. m., Monday, June 28, 1948, at Atlanta, Georgia.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3351; Filed, Apr. 15, 1948;
8:49 a. m.]

No. 75—3

[Docket Nos. 8837-8839]

RADIO STATION WSOC, INC., ET AL.

ORDER SCHEDULING HEARING

In re applications of Radio Station WSOC, Incorporated, Charlotte, North Carolina, Docket No. 8837, File No. BPCT-304; Inter-City Advertising Company, Charlotte, North Carolina, Docket No. 8838, File No. BPCT-344; Surety Broadcasting Company, Charlotte, North Carolina, Docket No. 8839, File No. BPCT-349; for construction permits.

Whereas the above-entitled applications were designated for hearing, on March 11, 1948, in a consolidated proceeding at a time and place subsequently to be scheduled by the Commission;

It is ordered, This 2d day of April, 1948, that the said hearing on the above-entitled applications be, and it is hereby, scheduled for 10:00 a. m., Wednesday, June 23, 1948, at Charlotte, North Carolina.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3352; Filed, Apr. 15, 1948;
8:49 a. m.]

[Docket Nos. 8889-8893]

BUFFALO COURIER EXPRESS, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Buffalo Courier Express, Inc., Buffalo, New York, Docket No. 8889, File No. BPCT-251, New England Television Co., Inc., Buffalo, New York, Docket No. 8890; File No. BPCT-270; Broadcasting Foundation, Inc., Buffalo, New York, Docket No. 8891, File No. BPCT-284; WGR Broadcasting Corporation, Buffalo, New York, Docket No. 8892, File No. BPCT-329; Niagara Falls Gazette Publishing Co., Niagara Falls, New York, Docket No. 8893, File No. BPCT-376; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of April 1948;

The Commission having under consideration the above-entitled applications each requesting a construction permit for a television broadcast station to operate unlimited time on a television channel allocated to the Buffalo-Niagara Falls, New York metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing that the above-entitled applications for construction permits for television broadcast stations exceed in number the channels allocated to the Buffalo-Niagara Falls, New York metropolitan district under § 3.606 of the Commission's rules and regulations;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the

applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing Television Broadcast Stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3353; Filed, Apr. 15, 1948;
8:51 a. m.]

[Docket Nos. 8894, 8895]

NEW ENGLAND TELEVISION CO., INC., AND
YANKEE NETWORK, INC.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of New England Television Company, Inc., Springfield, Massachusetts, Docket No. 8894, File No. BPCT-278; The Yankee Network, Incorporated, Springfield, Massachusetts, Docket No. 8895, File No. BPCT-333; for construction permits for television stations.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of April 1948;

The Commission having under consideration the above-entitled applications for construction permits for television stations in the Springfield-Holyoke, Massachusetts, metropolitan district; and

It appearing that each applicant requests the same television channel, namely, No. 3 (60-66 mc) for full time operation and that said applications are mutually exclusive;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are hereby designated for hearing in a consolidated proceeding at a

time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending application for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing Television Broadcast Stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3358; Filed, Apr. 15, 1948;
8:51 a. m.]

[Docket Nos. 8896-8900]

INDEPENDENT BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Independent Broadcasting Company, Des Moines, Iowa, Docket No. 8896, File No. BPCT-287; Cowles Broadcasting Company, Des Moines, Iowa, Docket No. 8897, File No. BPCT-315; Central Broadcasting Company, Des Moines, Iowa, Docket No. 8898, File No. BPCT-334; Tri-States Meredith Broadcasting Company, Des Moines, Iowa, Docket No. 8899, File No. BPCT-362; Murphy Broadcasting Company, Des Moines, Iowa, Docket No. 8900, File No. BPCT-370; for construction permits for television stations.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of April 1948;

The Commission having under consideration the above-entitled applications, i. e., File Nos. BPCT-287, BPCT-315, BPCT-334, BPCT-362 and BPCT-370, each requesting a construction permit

for a television broadcast station to operate unlimited time on a television channel allocated to the Des Moines, Iowa metropolitan district under § 3.606 of the Commission's rules and regulations;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications, be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing Television Broadcast Stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3357; Filed, Apr. 15, 1948;
8:51 a. m.]

[Docket Nos. 8914-8917]

JOHNSON-KENNEDY RADIO CORP. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Johnson-Kennedy Radio Corporation, Chicago, Illinois, Docket No. 8914, File No. BPCT-187; Columbia Broadcasting System, Inc., Chicago, Illinois, Docket No. 8915, File No. BPCT-190; Sun and Times Company, Chicago, Illinois, Docket No. 8916, File No. BPCT-196; Zenith Radio Corporation, Chicago, Illinois, Docket No. 8917, File No. BPCT-322; for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of April 1948;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a television broadcast station to operate unlimited time on a channel allocated to the Chicago, Illinois metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing that the above-entitled applications exceed in number the unassigned television channels allocated to the Chicago, Illinois metropolitan district under § 3.606 of the Commission's rules and regulations;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing Television Broadcast Stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine whether a grant of the Johnson-Kennedy Radio Corporation and the Columbia Broadcasting System applications File Nos. BPCT-187 and BPCT-190 respectively, would be in conflict with § 3.640 (multiple ownership) of the Commission's rules and regulations.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3358; Filed, Apr. 15, 1948;
8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 70-1792, 70-1799]

CENTRAL VERMONT PUBLIC SERVICE CORP.
AND NEW ENGLAND PUBLIC SERVICE CO.

SUPPLEMENTAL NOTICE OF FILING AND OF
ISSUANCE OF ORDER FOR HEARING AND OF
ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of April A. D. 1948.

In the matter of Central Vermont Public Service Corp., File No. 70-1792; New England Public Service Company, File No. 70-1799.

The Commission having on April 6, 1948 issued its notice of filing and order for hearing and order for consolidation with respect to applications and declarations filed by Central Vermont Public Service Corporation (Central Vermont) a public utility subsidiary of New England Public Service Company ("NEPSCO") a registered holding company, and by NEPSCO, pursuant to the Public Utility Holding Company Act of 1935; and the Commission having further directed that a copy of said notice of filing and order for hearing and order for consolidation be published in the FEDERAL REGISTER, but said publication not having been made until April 14, 1948 whereas said notice and order directed that a hearing be held on April 15, 1948; and

The Commission having reviewed the circumstances of the case and having found that time is of the essence and that said hearing should commence on April 15, 1948, despite the deficiency in publication, but that nevertheless persons who have not been served with a copy of said notice and order dated April 6, 1948, but who desire to participate herein should have an opportunity to do so at a later and reconvened hearing:

It is ordered, That said hearing commence on April 15, 1948 at 10:00 a. m. e. s. t., as directed in the Commission's notice and order of April 6, 1948, but that said hearing be reconvened at the offices of the Securities and Exchange Commission, 425 Second Street, N.W., Washington 25, D. C., at 10:00 a. m., e. s. t. or e. d. s. t. (whichever time is then in effect in Washington, D. C.) on April 23, 1948 for the purpose of giving to persons who have not been served with a copy of said notice and order dated April 6, 1948 but who desire to participate herein pursuant to Rule XVII of the Commission's rules of practice an opportunity so to do.

It is further ordered, That persons desiring so to participate at such reconvened hearing shall file with the Secretary of the Commission on or before 12:00 noon e. s. t. or e. d. s. t. (whichever time is then in effect in Washington, D. C.) on April 22, 1948, a written request relating thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That notice of such reconvened hearing be given by sending by registered mail a copy of this supplemental notice to all persons to whom were sent copies of the Commission's notice and order dated April 6,

1948, and that notice be given to all other persons by publication in the FEDERAL REGISTER.

For a description of the transactions covered by said applications and declarations and for a statement of the issues relating thereto reference is made to the Commission's notice and order dated April 6, 1948 which is published in the FEDERAL REGISTER of April 14, 1948 in Volume 13, Issue No. 73, at page 2006.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3436; Filed, Apr. 15, 1948;
10:40 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10407]

FRANK BALZER

In re: Estate of Frank Balzer, deceased. File D-28-7530; E. T. sec. 7863.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Jasger, Stanley Jasger, Sophia Jasnik, Mary Herzog, Anna Jasger and Klara Jasger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the sum of \$3,842.55 was paid to the Alien Property Custodian by Gottlieb Buechler, Executor of the Estate of Frank Balzer, deceased;

3. That the sum of \$489.00 was paid to the Attorney General of the United States by Gottlieb Buechler, Executor of the Estate of Frank Balzer, deceased;

4. That the sums identified in paragraphs 2 and 3 were accepted by the Attorney General of the United States, on December 16, 1946, pursuant to the Trading With the Enemy Act, as amended;

5. That the said sums of \$3,842.55 and \$489.00 are presently in the possession of the Attorney General of the United States and were property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which were evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 26, 1947.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-3363; Filed, Apr. 15, 1948;
8:46 a. m.]

[Vesting Order 10357]

KARL KRAPP

In re: Debt owing to Karl Krapp. D-28-11662-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Krapp, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: All those debts or other obligations owing to Karl Krapp, by Bank of Baton Rouge, in Liquidation, Fidelity National Bank Building, Baton Rouge, Louisiana, including particularly but not limited to the amount of \$302.96, as of December 15, 1946, and any and all accruals thereto, evidenced by ten (10) liquidating dividend checks issued at various dates, presently in the possession of said Bank of Baton Rouge, in Liquidation, Fidelity National Bank Building, Baton Rouge, Louisiana, and any and all rights to demand, enforce and collect the same, together with any and all rights in, to and under, including particularly but not limited to, the rights to possession and presentation for collection and payment of the aforesaid checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3369; Filed, Apr. 15, 1948; 8:46 a. m.]

[Vesting Order 10962]

MARTHA MULLER

In re: Stock owned by Miss Martha Muller. F-28-23070-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Miss Martha Muller, whose last known address is Beckmannstrasse 76, Crimmitschau, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Four (4) shares of \$100 par value preferred capital stock of Ingersoll-Rand Company, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered C 1825/8, registered in the name of Miss Martha Muller, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3370; Filed, Apr. 15, 1948; 8:46 a. m.]

[Vesting Order 10966]

HENRY RUF

In re: Stock and scrip owned by Henry Ruf. F-28-23636-A-1, F-28-23636-D-1/4.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Henry Ruf, whose last known address is 28 Pettenkofer Strasse, Munich, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Forty (40) shares of no par value common capital stock of The United Gas Improvement Company, 1401 Arch Street, Philadelphia, Pennsylvania, a corporation organized under the laws of the State of Pennsylvania, evidenced by certificates numbered C0224740 and C0271580 for twenty (20) shares each, registered in the name of Henry Ruf, together with all declared and unpaid dividends thereon and all rights of exchange thereof for shares of \$13.50 par value capital stock of said The United Gas Improvement Company,

b. All rights in and to bearer scrip certificate number X81253 issued or issuable to Henry Ruf by The United Gas Improvement Company, 1401 Arch Street, Philadelphia, Pennsylvania, in lieu of one-third (1/3) share of no par value common capital stock of Philadelphia Electric Company, 1000 Chestnut Street, Philadelphia, Pennsylvania,

c. All rights in and to bearer scrip certificate number S67278 issued or issuable

to Henry Ruf by The United Gas Improvement Company, 1401 Arch Street, Philadelphia, Pennsylvania, in lieu of four-twelfths (4/12) share of no par value common capital stock of Public Service Corporation of New Jersey, 80 Park Place, Newark, New Jersey, and

d. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Henry Ruf and presently in the custody of The United Gas Improvement Company, 1401 Arch Street, Philadelphia, Pennsylvania, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany),

and it is hereby determined

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Certificate No.	Number of shares
Philadelphia Electric Co., 1000 Chestnut St., Philadelphia, Pa.	Pennsylvania.....	No par value common stock.	CO 93724	13
Public Service Corp. of New Jersey, 80 Park Pl., Newark, N. J.	New Jersey.....	do.....	XO 80469	3
Delaware Power & Light Co., 6th and Market Sts., Wilmington, Del.	Delaware.....	\$13.50 par value common stock.	CO 48689	2

[F. R. Doc. 48-3371; Filed, Apr. 15, 1948; 8:46 a. m.]

[Vesting Order 10973]

D. FRIEDRICH ZOBEL

In re: Debt owing to D. Friedrich Zobel. D-28-11661-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That D. Friedrich Zobel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: All those debts or other obligations owing to D. Friedrich Zobel, by Bank of Baton Rouge, in Liquidation, Fidelity National Bank Building, Baton Rouge, Louisiana, including particularly but not

limited to the amount of \$440.21, as of December 15, 1946, and any and all accruals thereto, evidenced by ten (10) liquidating dividend checks issued at various dates, presently in the possession of said Bank of Baton Rouge, in Liquidation, Fidelity National Bank Building, Baton Rouge, Louisiana, and any and all rights to demand, enforce and collect the same, together with any and all rights in, to and under, including particularly but not limited to, the rights to possession and presentation for collection and payment of the aforesaid checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3372; Filed, Apr. 15, 1948;
8:46 a. m.]

[Vesting Order 10978]

LOUISE BRUNETT

In re: Ex parte in the Matter of the trust estate of Louise Brunnett. File No. D 28-12169; E. T. sec. 16331.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kathie Brunnett Altvater, also known as Kathie Brunnett Altfatter, Diener Brunnett, also known as Dina Brunnett, Anna Brunnett, Elizabeth Werner Brunnett, Wilhelm Brunnett and Maria Brunnett, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany).

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the trust created under the will of John E. Brunnett, deceased, of which Louise Brunnett, now deceased, was life tenant, is property payable or deliverable to or claimed by the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Louis F. Meyer, Jr., as Trustee, acting under the judicial supervision of Circuit Court No. 2 of Baltimore City, Baltimore, Maryland;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3373; Filed, Apr. 15, 1948;
8:46 a. m.]

[Vesting Order 10932]

MATHILDA GALLUS

In re: Estate of Mathilda Gallus, deceased. File No. D-28-12126; E. T. sec. 16333.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Becker and Joseph Gels, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Mathilda Gallus, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by the Portland Trust and Savings Bank, Administrator with

the will annexed, acting under the judicial supervision of the Circuit Court, Multnomah County, Oregon;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3326; Filed, Apr. 14, 1948;
8:53 a. m.]

[Vesting Order 10933]

LOUISA D. HEMPEL ET AL.

In re: Trust agreement dated February 28, 1939, between Louisa D. Hempel, settlor, and Old Colony Trust Company and John P. Monks, as trustees. D-28-9761-G-1; E. T. sec. 13701.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Eberhard Hempel and Elizabeth Susanne Hempel, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated February 28, 1939, by and between Louisa D. Hempel, settlor, and Old Colony Trust Company and John P. Monks, trustees, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by the Old Colony Trust Company, trustee, and by George Gardner Monks, successor trustee, acting under the judicial supervision of the Probate Court of Suffolk County, Massachusetts;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are

not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3281; Filed, Apr. 13, 1948;
8:48 a. m.]

[Vesting Order 10989]

PAULINE KALTWASSER

In re: Trust u/w of Pauline Kaltwasser, deceased. File No. D-28-8995; E. T. sec. 11403.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found and determined:

1. That Dora Himmelreich is a citizen or subject of Germany whom the national interest of the United States requires to be treated as a national of a designated enemy country (Germany) and is a national of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the trust created under the Will of Pauline Kaltwasser, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Oscar J. Lorenzen, as executor and trustee, acting under the judicial supervision of the Surrogate's Court of New York County, New York.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-3327; Filed, Apr. 14, 1948;
8:53 a. m.]

[Vesting Order 11074]

ROSA BUDER

In re: Estate of Rosa Buder, deceased. File D-28-11607; E. T. sec. 15819.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Albine Feitl, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Estate of Rosa Buder, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by John T. Dempsey, Public Administrator, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 12, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3328; Filed, Apr. 14, 1948;
8:53 a. m.]

[Vesting Order 10985]

MARGARETHE GROTZ

In re: Estate of Margarethe Grotz, deceased. File No. D-28-10666; E. T. sec. 15020.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That George Seitz and Margaret Seitz, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Margarethe Grotz, Deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by Louis Grotz, Jr., as Executor, acting under the judicial supervision of the Probate Court of Madison County, Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 31, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3374; Filed, Apr. 15, 1948;
8:47 a. m.]

[Return Order 106]

ALBUQUERQUE NATIONAL TRUST AND SAVINGS BANK AND ISOLA BAMBINI

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any in-

crease or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant and Claim No., Notice of Intention to Return Published, and Property

Albuquerque National Trust & Savings Bank, Trustee, Albuquerque, N. Mex., and Isola Bambini, Lucca, Italy; March 3, 1948 (13 F. R. 1156); \$500 in the Treasury of the United States. All right, title and interest of the Attorney General in and to the corpus

of a certain trust, now in the possession of the Trustee, established pursuant to the terms of a Trust Indenture dated June 25, 1934 between Isola Bambini, Settlor and Albuquerque National Trust and Savings Bank, Trustee, as the interests of the respective parties are defined in said Indenture, specifically including the interest of Isola Bambini therein, and all monthly proceeds of an annuity policy arising out of a contract of insurance between the Mutual Life Insurance Company of New York and Isola Bambini, as beneficiary.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 12, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
*Assistant Attorney General,
Director Office of Alien Property.*

[F. R. Doc. 48-3375; Filed, Apr. 15, 1948;
8:47 a. m.]

